

Standing Orders

SOUTH

AUSTRALIA

The
Standing Orders

OF THE

LEGISLATIVE COUNCIL

RELATING TO

PUBLIC BUSINESS

TOGETHER WITH THE

Joint Standing Orders

AGREED TO BY BOTH HOUSES

Ordered to be printed with amendments, 10 February 2022

Table of Contents

STANDING ORDERS

CHAPTER	PAGE
I. INTRODUCTORY	1
II. PROCEEDINGS ON THE OPENING OF PARLIAMENT.....	2
III. ELECTION OF PRESIDENT.....	4
IV. ABSENCE OF PRESIDENT AND VACANCY DURING SESSION. THE CLERK	6
V. MEMBERS' ROLL. THE MINUTES	7
VI. ATTENDANCE OF MEMBERS AND LEAVE OF ABSENCE	8
VII. CALL OF THE COUNCIL.....	9
VIII. PLACES OF MEMBERS.....	10
IX. SITTING AND ADJOURNMENT OF COUNCIL. WANT OF QUORUM .	11
X. THE NOTICE PAPER. ORDER IN BUSINESS	15
XI. PETITIONS.....	19
XII. GIVING OF NOTICES	22
XIII. QUESTIONS TO MEMBERS.....	24
XIV. MOTIONS. QUESTIONS FROM THE CHAIR. AMENDMENTS. PREVIOUS QUESTION	25
XV. ORDERS OF THE DAY.....	33
XVI. RESOLUTIONS AND ORDERS	34
XVII. CONDUCT OF MEMBERS AND ORDER IN DEBATE	35
XVIII. DISORDER. SUSPENSION. ARREST.....	44
XIX. DIVISIONS.....	47
XX. THE BALLOT	50

Table of Contents - *continued*

CHAPTER	PAGE
XXI. Addresses.....	51
XXII. MESSAGES FROM THE GOVERNOR.....	53
XXIII. COMMUNICATION BETWEEN THE TWO HOUSES BY MESSAGES, CONFERENCES AND COMMITTEES	54
XXIV. Public Bills.....	59
XXV. Committees of the Whole Council.....	82
XXVI. Select Committees, Standing Committees	87
XXVII. Instructions	96
XXVIII. Witnesses	98
XXIX. Strangers	101
XXX. Papers and Documents.....	102
XXXA. Citizens Right of Reply	105
XXXB. Code of Conduct Members of Parliament	107
XXXI. Suspension and Duration of Standing Orders	110
JOINT STANDING ORDERS	111

The Standing Orders

OF THE

Legislative Council

RELATING TO

PUBLIC BUSINESS

Amended and amendments adopted by the Council, 6th and 22nd October, 1903, and approved by the Governor, 30th October, 1903.

Amended and amendments adopted by the Council, 4th August, 1914, and approved by the Governor, 13th August, 1914.

Further amended and amendment adopted by the Council, 19th November, 1918, and approved by the Governor, 10th July, 1919.

Further amended and amendments adopted by the Council, 2nd October, 1924, and approved by the Governor, 23rd October, 1924.

Further amended and amendment adopted by the Council, 6th December, 1939, and approved by the Governor, 11th January, 1940.

Further amended and amendments adopted by the Council, 22nd September, 1953, and approved by the Governor, 24th September, 1953.

Further amended and amendments adopted by the Council, 6th October, 1953, and approved by the Governor, 8th October, 1953.

Further amended and amendment adopted by the Council, 4th October, 1956, and approved by the Governor, 11th October, 1956.

Further amended and amendments adopted by the Council, 31st October, 1961, and approved by the Governor, 16th November, 1961.

Further amended and amendments adopted by the Council, 5th February, 1976, and approved by the Governor, 19th February, 1976.

Further amended and amendment adopted by the Council, 31st July, 1986, and approved by the Governor, 7th August, 1986.

Further amended and amendments adopted by the Council, 14th April, 1987, and approved by the Governor, 7th May, 1987.

Further amended and amendments adopted by the Council, 5th August, 1999, and approved by the Governor, 9th September, 1999.

Further amended and amendments adopted by the Council, 12 October 2021 and 18 November, 2021, and approved by the Governor, 3 February 2022.

INTRODUCTORY

CHAPTER I

INTRODUCTORY

1. In all cases not provided for hereinafter or by Sessional or other Orders, the President shall decide, taking as the guide the rules, forms and usages of the House of Commons of the Parliament of the United Kingdom of Great Britain and Northern Ireland in force from time to time so far as the same can be applied to the proceedings of the Council or any Committee thereof. Usages of House of Commons to be observed, unless other provision is made.

2. Except so far as is expressly provided herein, these Standing Orders shall in no way restrict the mode in which the Council may exercise and uphold its powers, privileges, and immunities. Reservation of powers, etc.

3. The words and phrases following shall in these Orders have and include the meanings hereby respectively assigned to them, viz:- Definition.
 - “Council” - The Legislative Council of South Australia; or the said Council sitting as a House and not in Committee:
 - “Clerk” - The Clerk of the Legislative Council and Clerk of the Parliaments:
 - “Black Rod” - The Usher of the Black Rod:
 - “Minutes” - The Minutes of the Proceedings of the Legislative Council:
 - “Leave of the Council” - Leave granted without dissentient voice:
 - “Written” and “in writing” - Written by hand or printed, or partly the one and partly the other.

4. All previous Standing Rules and Orders of this Council relating to Public Business are hereby repealed. Repeal.

OPENING OF PARLIAMENT

CHAPTER II

PROCEEDINGS ON THE OPENING OF PARLIAMENT

Proclamation
read.

5. On the Council assembling pursuant to the Proclamation convening the Parliament for the dispatch of business, the Clerk shall read the Proclamation, and the Council shall then await the arrival of the Governor or the Commission representing the Governor.

Governor,
how received.

6. The Governor on arrival shall be announced by Black Rod, and shall be conducted to the Chair by the President, who shall take the chair on the right hand of the Governor.

Commissioners,
how received.

7. The Commissioners of the Governor shall be announced and introduced to the Chamber by Black Rod. The Commission shall be read by the Clerk.

Message to
House of
Assembly,
how
delivered.

8. The Message to the House of Assembly from the Governor or Commissioner, requiring the attendance of that House in the Council Chamber shall be delivered by Black Rod. When the Members of the Assembly have come with their Speaker into the Chamber, the Bar shall be drawn until the departure of the Governor or the Commissioners.

See also Order No. 15.

Members to be
sworn.

9. New Members present shall be admitted within the Bar and take and subscribe the Oath or Affirmation provided by the Constitution, the Writ of Election of each Member, with the Return duly endorsed thereon, having been previously received and laid upon the Table.

Writs.

President to
be elected.

10. If the office of President be vacant, the Council shall proceed to the election of a President, in manner hereinafter provided, so soon as the Commissioners shall have withdrawn.

See Orders Nos. 16-23.

OPENING OF PARLIAMENT

11. Standing Committees shall be appointed.

Committees
appointed.

See Order No. 414.

12. The President shall lay on the Table a copy of the Governor's Opening Speech, and a Committee to prepare a draft Address in Reply thereto shall be nominated, to whom the said Speech shall stand referred.

Address in
Reply,
Committee
appointed.

See Order No. 377.

13. The Address, when reported by the Committee, shall be considered by the Council, and, when adopted, shall be presented to the Governor by the President, accompanied by any Members of the Council who may think fit to attend.

Address
adopted and
presented to
Governor.

See also (*Addresses*) Orders Nos. 239-241.

14. *Standing Order repealed.*

15. When the Opening Speech is delivered by the Sovereign in person:-

Opening by
Sovereign in
person.

- (a) The Message to the House of Assembly mentioned in Standing Order No. 8 need not be sent and the Speaker and Members of the House of Assembly may be admitted to the Legislative Council Chamber without any such message;
- (b) Standing Order No. 5 shall apply as if the words "the Sovereign" were substituted for the words "the Governor or the Commission representing the Governor";
- (c) Standing Order No. 6 shall apply as if the words "the Sovereign" were substituted for the words "The Governor";
- (d) Standing Orders Nos. 12 and 14 shall apply as if the words "Speech of the Sovereign" were substituted for the words "Governor's Opening Speech";
- (e) Subject to the preceding paragraphs, the procedure set out in these Orders shall apply as when the Opening Speech is delivered by the Governor.

ELECTION OF PRESIDENT

CHAPTER III

ELECTION OF PRESIDENT

A Member
proposed as
President.

16. At the time for election of a President a Member, addressing the Clerk, shall propose another Member then present to the Council for their President, and move that such Member be President of the Council.

See Order No. 10.

When
unopposed,
such Member
conducted to
the Chair.

17. Such motion having been seconded, if no other Member is proposed as President, the Member so proposed, being called to the Chair without question put, shall submit to the House; and being again called upon shall be conducted by the Mover and Secunder to the Chair.

When two
Members
proposed,
mode of
voting.

18. In the event of there being two Members proposed and seconded for the office of President, the votes shall be taken by each Member of the Council then present delivering to the Clerk in writing the name of the Member whom the Member considers most fit and proper to be the President of the Council; and the Member obtaining the greater number of votes shall be declared elected, and conducted to the Chair as aforesaid.

When more
than two
Members
proposed,
mode of
voting.

19. If more than two Members have been so proposed and seconded the votes shall be taken in like manner, and the Member having the greatest number of votes shall be the President, provided that the Member has also a majority of the votes of the Members present; but if no candidate has such majority the name of the Member who has the smallest number of votes shall be withdrawn, and the votes shall be taken for the remaining candidates in like manner until the number is reduced to two; and of such two the Member in like manner obtaining the greater number of votes shall be the President, and shall be conducted to the Chair in manner aforesaid.

ELECTION OF PRESIDENT

20. In the event of there being an equality of votes between candidates having the smaller number, or when the number of candidates is, or has been reduced to, two, the Clerk shall declare such to be the case, and the votes shall be again taken; when, if again there shall be an equality of votes, the Clerk shall determine by lot which name of such candidates shall be withdrawn, or which shall be deemed to have obtained the greater number of votes, as the case may be.

In case of tie.

21. Prior to the President assuming the Chair, the Clerk shall act as Chairperson of the Council.

Clerk acts as Chairperson till President elected.

22. The President having assumed the Chair, and having received and acknowledged the congratulations of the Council, the Council shall notify such election to the Governor, by a Deputation of the said Council, at such time as the Governor shall be pleased to appoint.

Election of President to be notified to Governor.

23. In presentation to the Governor, the President shall, in the name and on behalf of the Council, lay claim to the right of free access to and communication with the Governor, and that the most favourable construction may be placed upon all the proceedings of the Council; and, being returned to the Chamber, the President shall report the circumstances of the presentation, and the reply of the Governor to the Deputation.

President to make certain claims.

And report to Council.

ABSENCE OF PRESIDENT - THE CLERK

CHAPTER IV

ABSENCE OF PRESIDENT AND VACANCY DURING SESSION - THE CLERK

Unavoidable
absence of
the President.

24. Whenever the Council shall be informed by the Clerk at the Table of the unavoidable absence of the President, the Council shall choose some other Member who shall fill the office and perform the duties of President in relation to all proceedings of the Council as Deputy President until the next meeting of the Council, the question being put to the Council by the Clerk; and so on from day to day, on the like information being given to the Council, until the Council shall otherwise order: Provided that, if the Council shall adjourn for more than twenty-four hours, the Deputy President shall continue to perform the duties and exercise the authority of President for twenty-four hours only after such adjournment.

Absence of
the President
on leave.

25. In case of the absence of the President in consequence of leave granted to the President by the Council, the Council shall, in like manner, choose some other Member to fill the office and perform the duties of the President as Deputy President, and such other Member shall have all the powers and authorities of the President during such absence.

President's
Office
vacated
during
Session.

26. When a vacancy occurs in the office of President during a Session, the Clerk shall report the same to the Council on its next meeting, and the Council shall forthwith proceed to the election of a new President in the manner hereinbefore provided.

See Orders Nos. 16-23.

Absence of
Clerk.

27. In the case of the unavoidable absence or the illness of the Clerk, the Clerk's duties shall be performed by the Deputy Clerk.

MEMBERS' ROLL - THE MINUTES

CHAPTER V

MEMBERS' ROLL - THE MINUTES

28. A Members' Roll shall be kept by the Clerk, showing the names of the Members elected, the date on which each Member was elected and takes the Oath or Affirmation, and the date of each Member's ceasing to be a Member and the cause thereof. The name of each Member shall be written in the Member's own handwriting on the said Roll, on the day on which such Member takes the Oath or Affirmation.

Members'
Roll to be
kept by Clerk.

Names
inscribed by
Members.

29. All proceedings in the Council and in Committee shall be noted by the Clerk, and, being printed, shall be signed by the Clerk, and shall constitute the "Minutes of the Proceedings of the Legislative Council".

Minutes of
Proceedings.

30. The Clerk shall keep a record of the names of all Members present during any part of each day's proceedings, such record to be appended to each day's Minutes.

Members
present to
be recorded.

31. The custody of all Documents and Papers belonging to the Council shall be in the Clerk who shall not permit any to be removed from the offices or produced in evidence without the express leave or order of the President or Council.

Custody of
documents
in the Clerk.

See also Orders Nos. 400, 444.

ATTENDANCE AND LEAVE OF ABSENCE

CHAPTER VI

ATTENDANCE OF MEMBERS AND LEAVE OF ABSENCE

Members to attend the service of the Council.

32. Every Member shall attend the service of the Council, unless leave of absence be given to the Member by the Council.

See Constitution Act, section 17, regarding absence of Members for 12 consecutive sitting days without leave.

Leave of absence may be given.

33. Leave of absence may be given by the Council to any Member for any sufficient cause to be stated to the Council. With the exception that a Member who is pregnant shall be entitled, without vote of the Council, to twenty weeks maternity leave of absence, and that leave shall commence at a time notified by the President.

Motion for leave requires notice.

34. Notice shall be given of a motion for giving leave of absence except for a period of maternity leave, to any Member, stating the cause and period of absence.

See (Priority on Notice Paper) Order No. 64.

Leave excuses from service.

35. A Member shall be excused from service in the Council or on any Committee so long as the Member has leave of absence.

Leave forfeited.

36. Any Member, having leave of absence, shall forfeit the same by attending the service of the Council before the expiration of such leave except for a period of maternity leave.



CALL OF THE COUNCIL

CHAPTER VII

CALL OF THE COUNCIL

- 37.** No order for a Call of the Council shall be made for any day earlier than seven days from the day on which such order shall have been made. Call of Council not earlier than seven days.
- 38.** A notice of the order for a Call of the Council, signed by the Clerk, shall be forwarded to each Member of the Council. Notice of call.
- 39.** For the purpose of enabling such notice to be given, Members shall, at the commencement of each Session, or so soon as they shall have taken their seats, enter their names and addresses in a book to be kept by the Clerk. Members to give their addresses.
- 40.** The order for calling over the Council on a future day shall be set down as the first Order of the Day for the day so appointed. First Order of the Day.
- 41.** When the Order of the Day for calling over the Council is read, unless the same be postponed or discharged, the names of the Members shall be called over by the Clerk alphabetically. Order of calling the names.
- 42.** The names of all Members who do not answer when called shall be taken down by the Clerk, and subsequently called over a second time; when those who answer, or afterwards attend in their places on the same day, may be excused. Members not present but subsequently attending.
- 43.** Members not attending in their places on the day of a Call of the Council may be ordered to attend on a future day. Members ordered to attend.
-

PLACES OF MEMBERS

CHAPTER VIII

PLACES OF MEMBERS

Places reserved
for Ministers of
the Crown.

44. The seats nearest to the right hand of the President shall be reserved for Members holding office under the Crown.

Seat of
ex-Minister.

45. Whenever a change of a Minister holding office under the Crown takes place, the outgoing Minister shall be entitled to take the seat vacated by the Minister's successor.

Of New
Members.

46. Any question with regard to the seats to be occupied by new Members shall be determined by the President.

Tenure of
seats.

47. Members shall be entitled to retain the seats occupied by them at the time of their taking their seats for the first time after their election, so long as they may continue Members of the Council without re-election.

SITTING AND ADJOURNMENT - QUORUM

CHAPTER IX

SITTING AND ADJOURNMENT OF COUNCIL -
WANT OF QUORUM

48. The Council shall, unless otherwise ordered, meet for the dispatch of business on Tuesday, Wednesday, and Thursday in each week of the Session, at the hour of fifteen minutes past two o'clock in the afternoon.

Days of meeting.

49. The bells shall be rung for five minutes prior to the time appointed for the meeting of the Council.

Bells rung for five minutes.

50. The President shall take the Chair at the time appointed for the meeting of the Council; and if a *Quorum be not present before the expiration of ten minutes after that time, the President shall declare the Council adjourned to the next sitting day.

President shall take Chair.

Quorum not present.

51. Upon the President taking the Chair each day, the President, or the President's delegate, shall read the following Prayers and acknowledgement of country and traditional owners:

Opening proceedings with Prayers and Acknowledgement of Country and Traditional Owners

Almighty God, we humbly beseech Thee to vouchsafe Thy blessing upon this Parliament. We pray Thee to direct and prosper our deliberations to the advancement of Thy Glory and the true Welfare of the people of this State.

Our Father, which art in Heaven, Hallowed by Thy Name. Thy Kingdom come. Thy will be done in earth, as it is in Heaven. Give us this day our daily bread. And forgive us our trespasses, as we forgive them that trespass against us. And lead us not into temptation; but deliver us from evil: For thine is the Kingdom, and the power, and the glory, for ever and ever. Amen.

* By the *Constitution Act*, section 26, a quorum of the Council consists of at least 10 Members, including the President, or the person chosen to preside in the President's absence.

SITTING AND ADJOURNMENT - QUORUM

We acknowledge Aboriginal and Torres Strait Islander peoples as the traditional owners of this country throughout Australia, and their connection to land and community.

We pay our respects to them and their cultures, and to Elders both past and present.

Whilst prayers and acknowledgment of country and traditional owners are being read, Members shall stand in their places, the Bar being drawn.

Members present to remain.

52. A Member, having entered the Chamber after the time appointed for the meeting of the Council, shall not be permitted to withdraw until a Quorum be made up or the Council adjourn.

Tellers or Chairperson reporting want of a quorum, Council is adjourned.

53. If it shall appear, on the report of a Division of the Council by the Tellers, or upon the report of the Chairperson of Committees, that a Quorum is not present, the President shall forthwith adjourn the Council to the next sitting day. No decision shall be considered to have been arrived at by such Division.

See (*in Committee*) Orders Nos. 368, 369.

When want of a quorum is noticed, the Council is counted.

54. If a Member shall, at any time after the commencement of business, take notice that a Quorum is not present, the President shall count the Council; whereupon, if a Quorum be not present, the bells shall be rung as for a Division, and if a quorum be not made up before the expiration of two minutes, the President shall then forthwith adjourn the Council to the next sitting day.

Adjournment.

See (*Taking Notice*) Order No. 182; (*Divisions*) Order No. 222.

Members present to remain.

55. When the President so proceeds to count the Council, no Member shall leave the Chamber until a Quorum be made up or the Council adjourn.

SITTING AND ADJOURNMENT - QUORUM

56. Whenever the Council is adjourned for want of a Quorum, the hour of adjournment and the names of the Members then present shall be entered in the Minutes.

Names of Members present recorded.

57. Whenever the Council is adjourned for want of a Quorum to the next sitting day, and the same shall prove to be a public holiday proclaimed by the authority of the Government, then the Council shall stand adjourned to the next succeeding sitting day.

Provision when next sitting day a holiday.

58. Except in the cases provided for in Orders Nos. 50, 53, 54 and 213, the Council can only be adjourned by its own resolution.

Council adjourns by resolution, exceptions.

59. A motion “That the Council do now adjourn” may be made without notice at any time when no other Member is speaking or in possession of the House, and shall be moved and seconded without discussion and be immediately determined; but, if it be negatived, no such motion shall be again made within the next fifteen minutes, except by a Minister of the Crown.

Motion to adjourn Council.

If negatived.

This motion shall not be made or seconded during a debate by any Member who has already spoken in the debate, nor may the Mover of this Motion during the same debate either move it a second time or second it if moved by another Member; and similarly, a Seconder of this motion shall not subsequently move or again second it; but Members so moving or seconding shall not be held to have spoken in the debate.

Restrictions.

See (*Possession of House*) Order No. 166; and (*Other Summary Motions*) Orders Nos. 127, 195.

SITTING AND ADJOURNMENT - QUORUM

Half-past
six o'clock
suspension
of sitting.

60. If at half-past six of the clock the Council or a Committee of the Whole be sitting, the sitting of the Council or Committee shall be suspended for one hour, unless otherwise ordered: Provided that, if at the said time a Ballot or a Division shall have been ordered, the President, or the Chairperson of Committees, as the case may be, shall not leave the Chair until such Ballot or Division shall have been taken and any formal business immediately consequent thereon shall have been completed; after which it shall be in order on motion, without discussion or amendment -

- I. To adjourn any question still pending, and any business remaining on the Notice Paper, to a future day;
and

- II. To adjourn the Council,

but if any one of these motions be negatived, the sitting shall be forthwith suspended for one hour.

Suspension
of sitting at
other times.

61. A sitting of the Council may be temporarily suspended at any time on the motion of a Minister of the Crown.

Order in Business, see Orders Nos. 67-78; *Resumption of Business*, see Orders Nos. 76, 77; and *Suspension and Adjournment by President*, see Order No. 213.

THE NOTICE PAPER

CHAPTER X

THE NOTICE PAPER - ORDER IN BUSINESS

THE NOTICE PAPER

62. A Notice Paper showing all business of which Notice has been given or respecting which Order has been made by the Council, and the respective days for which such business is set, shall be prepared each sitting day by the Clerk, and, being signed by the Clerk, shall be printed, circulated amongst Members, and published and be appended to the Minutes.

Notice
Paper.

63. *Standing Order repealed.*

64. Unless otherwise ordered, Government Business shall on Tuesdays and Thursdays be entitled to take precedence on the Notice Paper of all other business, and Private Business on Wednesdays to the like precedence of Government Business:

Precedence
of business
on certain
days.

Provided that priority on the Notice Paper may, if so desired by the Member in charge, be given to Notices of Motion for the production or printing of Papers, for leave of absence to a Member, or for leave to introduce a Bill, and to Orders of the Day for the third reading of Bills; but if debate arise thereon the question shall either stand adjourned to a day to be fixed, or the determination thereof shall be postponed until the other business of the day has been disposed of, according as the Member in charge of the same may elect.

Priority of
unopposed
business.

See also (*Private Business*) Order No. 70.

65. Notices of Motion shall, as a rule, have priority on the Notice Paper over Orders of the Day; but a Minister may arrange the order of Government Business as the Minister thinks fit.

Precedence of
Notices of
Motion.
Government
Business.

NOTICE PAPER - ORDER IN BUSINESS

Order of
Notices and
Orders of
the Day.

66. Subject to preceding Standing Orders, Notices shall be entered on the Notice Paper in the order in which they were delivered at the Table and Orders of the Day according to priority of appointment.

Questions of Order or Privilege see Order No. 201.

Objections to President's Ruling see Order No. 205.

ORDER IN BUSINESS

Ordinary
routine of
business.

67. The Council shall, unless it otherwise directs, proceed each day with its ordinary business in the following order -

1. Presentation of Petitions. 2. Replies to Questions on Notice. 3. Tabling of Papers and Committee Reports. 4. Ministerial Statements. 5. Asking Questions without Notice and giving Notices of Motion. 6. The Business of the Day as set down on the Notice Paper.

See also (*Prayers*) Order No. 51.

Ministerial
Statements.

67a. In addition to Ministerial Statements being made in accordance with Order No. 67, Ministerial Statements may be made at any other time, by leave of the Council.

Matters of
Interest.

67b. At the conclusion of the period for Questions without Notice on Wednesdays, Members may make statements on matters of interest. Up to seven Members may speak for a maximum of five minutes each. The President may order the Member to be seated if, in the opinion of the President, the Member infringes Standing Orders governing the rules of debate.

Orders of
the Day
postponed,
discharged,
and revived
without
notice.

68. When the Business of the Day is called on by the Clerk, any Member in charge of any Order of the Day which appears on the Notice Paper or which may have lapsed therefrom, may move, without notice, that such Order be postponed, discharged, or revived for a future day, as the case may be; but no discussion or amendment shall be allowed on such motions.

See also (*Notices of Motion*) Orders Nos. 101, 120; (*Orders of the Day*) Orders Nos. 73, 155-157; (*Bills*) Order No. 281; and (*Committees*) Orders Nos. 372, 374.

ORDER IN BUSINESS

69. Unless otherwise ordered, the period for asking Questions without Notice and giving Notices of Motion may not exceed one hour. If, however, before the expiration of one hour, a Question is in the process of being asked or answered, then that Question may be asked and/or answered even though the period of one hour has expired.

Period for Questions without Notice and giving Notices of Motion.

70. The Business of the Day, when called on, shall, unless it be otherwise ordered, be proceeded with, and be disposed of in rotation, each Notice of Motion or Order being read by the Clerk at the Table: Provided that, on days on which Private Business has precedence, Government Business of the Day shall stand postponed to any Private Business which may have been previously interrupted and which the Council may order to be resumed.

Business of the Day disposed of without interruption except on Wednesdays.

See (*Precedence of Private Business*) Order No. 64.

71. *Standing Order repealed.*

72. A Notice of Motion called on in its order and not moved shall lapse.

Notices called and not moved lapse.

See (*Revival*) Order No. 120.

73. Orders of the Day which have been read and not moved or disposed of prior to the adjournment of the Council shall lapse; but they may be revived on Motion after notice, or as provided in Order No. 68.

Orders of the Day read and not disposed of lapse.
Revival.

74. If, at the adjournment of the Council, any Notices of Motion or Orders of the Day have not been called on or read, such Notices and Orders of the Day shall be set down on the Notice Paper for the next sitting day, at the end of the business already appointed for that day.

Business not called on.

ORDER IN BUSINESS

Business set
for day over
which
Council
adjourns.

75. If the Council adjourns over a day for which business has been appointed, such business shall be placed on the Notice Paper for the next sitting day, at the end of the business already appointed for that day, unless otherwise ordered.

Resumption of
interrupted
business.

76. Whenever the business before the Council shall have been interrupted by the receipt of a Message from the Governor or the House of Assembly and by the consequent dealing therewith, or by the holding of a Conference, or by any proceeding other than the calling on of the Business of the Day, the said business shall, so soon as the cause of such interruption has been disposed of, the Council not being adjourned, be resumed at the point where it was so interrupted.

See Orders Nos. 242, 250, 254, 60, etc.; (*in Committee*)
Orders Nos. 372-374; and (*Orders of the Day*)
Order No. 71.

Business
interrupted by
adjournment.

77. Any business interrupted by adjournment of the Council may be ordered to be resumed at the point where it was so interrupted, on Motion after Notice, or as provided in Order No. 68.

See (*in Committee*) Order No. 372.

Liberty to
Minister to
move.

78. Any motion connected with the ordering of the business of the Council may be moved by a Minister of the Crown at any time without notice.

Giving of Notices see Orders Nos. 98-106.

Questions to Members see Orders Nos. 107-113.

Debates on Matters of Urgency see Order No. 116.

Motions, etc. see Orders Nos. 114-120.

Orders of the Day see Orders Nos. 153-157.

Half-past Six O'clock Rule see Order No. 60.

Questions of Privilege and Order see Order No. 201.

Limit to Suspending Standing Orders see Order
No. 460.

Unopposed Business see Order No. 64.

PETITIONS

CHAPTER XI

PETITIONS

79. Every Petition shall be lodged with the Clerk at least two hours previously to the meeting of the Council at which it is proposed to present the same; and no Petition shall be presented to the Council unless it bears the Clerk's certificate that it is in conformity with the Standing Orders.

Petition to be lodged with and certified by Clerk.

80. No Petition shall be presented after the Council shall have proceeded to the giving of Notices, unless such Petition refer to the question before the Chair, when it may be presented at the time the Notice of Motion or Order of the Day is called on.

Time for presenting.

See (*Order in Business*) Order No. 67.

81. Every Petition shall be fairly written, and contain a request at the end thereof.

To be fairly written, and to contain a request.

See (*Definition of "Written"*) Order No. 3.

82. Every Petition shall be in the English language, or be accompanied by an English translation certified by the Member who presents it to be correct.

To be in English, or accompanied by translation.

83. Every Petition must be signed by at least one person upon the same sheet as that upon which the request has been inscribed.

To be signed on same sheet as request.

84. Every Petition shall be signed personally by the parties thereto, with their names and addresses, and shall not be signed by deputy, except under power of attorney or in cases of incapacity by sickness; and in all such instances the person actually signing shall affix their own name and address as well as those of the person for whom the person signs. Persons not knowing how to write shall affix their marks in the presence of a witness, who, shall, as such, affix their own name and address.

By whom to be signed.

PETITIONS

Signatures
not to be
transferred.

85. Every signature shall be upon the sheets bearing, or attached to the Petition itself, and not be pasted thereon or otherwise transferred thereto.

As from
persons
signing.

86. All Petitions shall be received only as the petitions of the parties signing the same.

From
Corporations.

87. Petitions of Corporations aggregate shall be under their common seal.

No document
to be
attached,
exception.

88. No letters, affidavits, or other documents shall be attached to any Petition, not being a Petition for a Private Bill.

Must be
respectful.

89. Every Petition shall be decorous and temperate in its language, and not disrespectful to any branch of the Legislature.

By whom
presented.

90. Petitions can only be presented to the Council by a Member.

Not from
Member
presenting.

91. A Member cannot present a Petition on the Member's behalf.

Member to affix
name and number
of signatures.

92. The name of a Member presenting a Petition shall be affixed at the beginning thereof, with the number of signatures.

PETITIONS

93. The Clerk shall make an announcement to the Council as to the Petitions lodged with the Clerk for presentation to the Council (except a Petition for a Private Bill or relating to a Private Bill before the Council), indicating in the case of each Petition, the Member who lodged it, the identity of the petitioners and the subject matter of the Petition. A Member may, however, present a Petition personally, indicating the identity of the petitioners, and the subject matter of the Petition before bringing it to the Table. No discussion on the subject matter of a Petition shall be allowed and every Petition so presented shall be deemed to have been received by the Council: Provided that in the case of a Petition complaining of some present personal grievance, for which there may be an urgent necessity for providing an immediate remedy, the matters contained in such Petition may be brought into discussion on the presentation thereof.

Clerk to announce particulars of Petitions lodged.

Provision for urgency.

94. *Standing Order repealed.*

95. *Standing Order repealed.*

96. No Member shall move that a Petition be printed unless the Member shall state it to be their intention to make a motion upon the subject to which the Petition relates.

Motion for printing.

See (*Printing of Petitions*) Orders Nos. 418-419.

97. No Petition, the prayer of which is for a distinct grant of money, shall be received by the Council.

Not received for grant of money.

GIVING OF NOTICES

CHAPTER XII

GIVING OF NOTICES

Notice of Motion, how given.

98. Notice of Motion shall be given at the time of giving Notices, unless otherwise provided, by a Member reading it aloud, and delivering at the Table a copy thereof fairly written, signed by the Member, and showing the day proposed for bringing on such motion.

See (*Order in Business*) Order No. 67; (*Period for Questions without Notice giving Notices of Motion*) Order No. 69; (*On a previous day*) Order No. 114; and (*Exceptions as to time*) Orders Nos. 310, 411, 419.

Notice of Question, how given.

98a. A Member may give Notice of Question by delivering a written copy of such Question to the Clerk not less than two hours before the time appointed for the meeting of the Council.

When entered on Notice Paper.

98b. When Notice of Question is given pursuant to Order 98a, the Clerk shall place the same on the Notice Paper and shall show on the Notice Paper the day on which such Question was first printed.

Answers to Questions on Notice.

98c. The Answer to a Question on Notice pursuant to Order 98a shall be given by delivering the Answer in writing to the Clerk not less than two hours before the time appointed for the meeting of the Council on any day. After presentation of Petitions on each day, the President shall direct that a copy of such Answer be provided by the Clerk forthwith to the Member who asked the Question, the subject of the Answer. The President shall further direct that such Question and Answer be printed in *Hansard* as part of the proceedings of that day.

Question to President not entered.

99. No Notice of a Question addressed to the President shall be given for entry on the Notice Paper.

GIVING OF NOTICES

- 100.** A Member may give notice for another Member not then present. The names of both Members must appear on the Notice. Given for an absent Member.
- 101.** A Member desiring to change the day for bringing on a Motion, may give fresh Notice for any day subsequent to that first named. Postponement of Motion.
- 102.** After a Notice has been given, the terms thereof may be altered by the Member reading aloud and delivering at the Table, at the usual time of giving Notices, an amended Notice, any day prior to that appointed for proceeding with the motion; but such amended Notice must not exceed the scope of the original Notice. Terms altered.

Limitation.
- 103.** No Notice shall be received after the Council shall have proceeded to the Business of the Day. Not received after commencement of Business of the Day.
- See (Business of the Day) Order No. 67.*
- 104.** If any Notice contains unbecoming expressions, or offends against any Standing or other Order of the Council, the President shall amend the same or order that it be not printed; or it may be expunged from the Notice Paper by order of the Council. If out of order, amended, or expunged.
- 105.** If a Notice of Motion be given which contains matter not relevant to each other, the President may instruct the Clerk to divide such Notice into two or more Notices. If of irrelevant matter, may be divided.
- 106.** *Standing Order Repealed*
-

QUESTIONS TO MEMBERS

CHAPTER XIII

QUESTIONS TO MEMBERS

Questions may respect public business.

107. At the time of giving Notices, Questions may be put to a Minister of the Crown relating to public affairs; and to other Members, relating to any Bill, Motion, or other public matter connected with the business of the Council, in which such Members may be specially concerned.

Members may ask further Questions.

108. Whenever a Question is answered after Notice, it shall be open to any Member to put further Questions arising out of and relevant to the answer given.

Not to involve argument, inference, etc.

109. In putting any Question, no argument, opinion or hypothetical case shall be offered, nor inference or imputation made, nor shall any facts be stated or quotations made including quotations from *Hansard* of the debates in the other House, except by leave of the Council and so far only as may be necessary to explain such Question.

No debate allowed in reply.

110. In answering any Question, a Member shall not debate the matter to which the same refers.

Minister may decline to reply, and may answer an unasked Question.

111. A Minister of the Crown may, on the ground of public interest, decline to answer a Question; and may, for the same reason, give a reply to a Question which, when called on, is not asked.

112. *Standing Order repealed.*

113. *Standing Order repealed.*

Order in Business see Order No. 67.

Questions to President see Order No. 99.

MOTIONS

CHAPTER XIV

MOTIONS - QUESTIONS FROM THE CHAIR -
AMENDMENTS - PREVIOUS QUESTION

MOTIONS

114. No substantive Motion shall, unless by leave of the Council, or in pursuance of these Orders, be moved except after Notice openly given at a previous sitting of the Council and duly entered on the Notice Paper.

No Motion to be made without a previous day's Notice.

See (*Giving of Notices*) Orders Nos. 98-106.

115. In the absence of a Member who has given Notice of a Motion, the same may not, except by leave of the Council and at the request of such Member, be moved by another Member.

May not be moved by another Member except by leave.

See also (*Order of the Day*) Order No. 156; (*Reply*) Order No. 177.

116. A Debate on any definite matter of urgent public importance, the nature of which shall be stated in writing to the President - and of which urgency the rising in their places of three Members shall be sufficient evidence - may be allowed on a Motion, without notice, that the Council at its rising adjourn to some irregular day or hour, provided that it be moved after the giving of Notices and before the Business of the Day has been proceeded with.

Matters of urgent public importance.

Any such Motion shall be in lieu of Questions without Notice for that day and shall be limited to one hour's duration unless otherwise ordered. Not more than one Motion under this Order shall be allowed during a sitting of the Council, nor may more than one such matter be raised upon the same motion.

Restrictions.

See (*Order in Business*) Order No. 67.

MOTIONS - QUESTIONS FROM THE CHAIR

Not to anticipate business on the Paper.

117. No Motion under the next preceding Order, or otherwise, shall seek to anticipate Debate upon any matter which appears upon the Notice Paper.

See (*Anticipating Debate*) Order No. 185.

Vote of Thanks.

118. A Motion for a Vote of Thanks of the Council may be moved, without notice, by a Minister of the Crown.

See also (*Addresses*) Order No. 235.

Motion not seconded.

119. A Motion, not being an Order of the Day, if not seconded, may not be further debated, and no entry thereof shall be made in the Minutes.

See (*in Committee*) Order No. 363; (*Order of the Day*) Order No. 154; and (*Amendments*) Order No. 133.

Motions withdrawn, etc. again brought on.

120. A Motion which has lapsed, or has been withdrawn or superseded, or which has not been seconded, may be again made after notice.

See Orders Nos. 72, 123, 122, 119, and Nos. 140 and 152.

Same Question see Order No. 124.

Order in Business see Orders Nos. 67-78.

 QUESTIONS FROM THE CHAIR

Question proposed by President.

121. When a motion has been made and seconded, a Question thereon shall be “proposed” to the Council by the President.

How superseded.

122. A Question is superseded -

- I. By adjournment of the Council;
- II. By the Previous Question being resolved in the affirmative;
- III. By amendment.

See (*Revival*) Orders Nos. 73, 77, 145, 120.

QUESTIONS FROM THE CHAIR

123. A motion shall, after a Question has been proposed thereon, be deemed to be in possession of the House, but, by leave of the Council, it may be withdrawn by the mover, provided that, if an amendment has been moved thereto, such amendment has been first disposed of.

How
withdrawn.

See (*Revival*) Order No. 120; and (*Amendment*) Order No. 140.

124. No Question shall be proposed which is the same in substance as any question or amendment which during the same Session has been resolved in the affirmative or negative, unless the resolution of the Council on such question or amendment shall have been first read and rescinded. This Standing Order shall not be suspended.

Same
Question.

Order not
to be
suspended.

See (*Amendment*) Order No. 139; (*Bills*) Orders Nos. 281, 282, 295, 300; (*Instructions*) Order No. 425, and (*Rescinding of Resolutions*) Order No. 159.

125. The President may divide a complicated Question if the President thinks fit.

Complicated
Questions.

126. So soon as the debate upon a Question is concluded, the President shall “put” the Question to the Council.

Question
when put.

See (*Debate Closed*) Order No. 178.

127. A motion “That the Question be now put” may be made without notice at any time during a debate by a Member who has not already spoken in the debate, if so made as not to interrupt a Member speaking, and shall be moved and seconded without discussion and be immediately determined; but if it be negatived, no such motion shall be again made within the next fifteen minutes, except by the Member in charge of the Bill or other matter which is in question.

Closure.

If negatived.

QUESTIONS FROM CHAIR - AMENDMENTS TO QUESTIONS

Restrictions.

The mover of this motion cannot during the same debate either move it a second time or second it if moved by another Member; and similarly, a seconder of this motion shall not subsequently move or again second it; but Members so moving and seconding shall not be held to have spoken in the debate.

See (*Other Summary Motions*) Orders Nos. 59, 195.

If closure carried,
Question put.

128. If the Motion “That the Question be now put” be carried, the Council shall without further debate or amendment, vote on the Question immediately before it, and, subject to the discretion of the President, on any other Question already proposed from the Chair and still pending; but if such motion be negatived, the debate on the Question shall be resumed.

Pending Question.

Determined by majority of voices.

129. A Question when put shall, except as provided in Orders Nos. 159 and 457, be resolved in the affirmative or negative by the majority of voices “Aye” or “No”.

President gives opinion on voices.
Call for Division.

The President shall state whether, in the President’s opinion, the “Ayes” or the “Noes” have it; and if the President’s opinion be not acquiesced in, a Division may be called for by one of the minority.

Divisions see Orders Nos. 219-232.

Previous Question see Orders Nos. 144-152.

AMENDMENTS TO QUESTIONS

Different forms of Amendments.

130. A Question having been proposed may be amended -

- I. By leaving out certain words;
- II. By leaving out certain words in order to insert or add other words;
- III. By inserting or adding words.

See (*Exception*) Order No. 147.

AMENDMENTS TO QUESTIONS

- 131.** Every Amendment must be in writing and in the name of the mover. Must be in writing and in the name of the mover.
- 132.** Every Amendment must be relevant to the question to which it is moved. Must be relevant.
 See (*in Bills*) Orders Nos. 287, 293, 328, 329, (*Instructions*) Order No. 422.
- 133.** An Amendment moved but not seconded, shall not be further proceeded with, nor shall it be entered in the Minutes. Must be seconded.
 See (Exception) Order No. 363.
- 134.** When the proposed Amendment is to leave out certain words, the President shall put a question, “That the words proposed to be left out stand part of the question.” To leave out words.
- 135.** When the proposed Amendment is to leave out certain words in order to insert or add other words, the President shall first put a question, “That the words proposed to be left out stand part of the question”, which, if resolved in the affirmative, shall dispose of the Amendment; but if in the negative, another question shall be put, “That the words of the Amendment be inserted (*or* added) in lieu of the words left out.” No Amendment to the words proposed to be inserted or added can be entertained until the amendment to leave out certain words has been determined. However, if the President considers the amendment to be uncomplicated, the President may put the question “That the amendment be agreed to.” To leave out words, and insert or add others.
Restriction.
Uncomplicated amendment.
- 136.** When the proposed Amendment is to insert or add certain words, the President shall put a question, “That the words proposed to be inserted (*or* added) be so inserted (*or* added)” To insert or add words.
- 137.** No Amendment shall be proposed to any prior part of a question after an Amendment has been made or has been proposed from the Chair to a later part, unless such last-named Amendment has been, by leave of the Council, withdrawn. Not admissible when later part of a question amended.

AMENDMENTS TO QUESTIONS - PREVIOUS QUESTION

Nor to
words
already
agreed to.

138. No Amendment shall be proposed to be made to any words which the Council has resolved shall stand part of the question or which have been inserted in or added to a question, except it be the addition of other words thereto.

Exception.

Same
Amendment.

139. No Amendment shall be proposed which is the same in substance as any Question or Amendment which during the same Session has been resolved in the affirmative or negative unless the resolution of the Council on such Question or Amendment shall have been first read and rescinded. This Standing Order shall not be suspended.

How
withdrawn.

140. A proposed Amendment may, by leave of the Council, be withdrawn by the Mover; and may be again moved.

To proposed
Amendments.

141. Amendments may be proposed to a proposed Amendment, as if such proposed Amendment were a main question.

See (*Exception*) Order No. 287.

Question, when
Amendments
made.

142. When Amendments have been made, the main question, as amended, shall be put.

Question,
when
Amendments
not made.

143. When Amendments have been proposed but not made, the question shall be put as originally proposed.

To Bills see Orders Nos. 324, *sqq.*; (*in Committee*) Orders Nos. 293, *sqq.*, and (*Instructions*) Orders Nos. 422-425.

PREVIOUS QUESTION

Form of
Previous
Question.

144. The Previous Question may be moved without notice, and shall be put in the form "That the original question (*or* the original question as amended) be not now put."

PREVIOUS QUESTION

- 145.** If it be resolved in the affirmative, the Council shall proceed to the next business on the Notice Paper; but the original motion may be revived on Motion after Notice, or as provided in Order No. 68.
- If affirmed.
Revival of original motion.
- 146.** If it be resolved in the negative, the original question, amended or otherwise, shall be put forthwith without any further amendment or debate.
- If negatived.
- 147.** The Previous Question cannot be moved upon an amendment, nor can it be itself amended.
- Not moved on amendments, etc.
- 148.** The Previous Question cannot be moved after an amendment to the original question has been proposed from the Chair, until such amendment has been disposed of; nor can any such amendment be moved after the Previous Question has been proposed from the Chair, unless the Previous Question be first withdrawn.
- Relation to amendments.
- 149.** The Previous Question cannot be moved or debated by a Member who has already spoken in the debate.
- Not moved by Member who has spoken.
- 150.** Whenever the Previous Question shall be moved upon any question consisting of a series of propositions which have been brought under discussion or debate as one motion, with the understanding that the question be put on such propositions *seriatim*, the decision of the Previous Question, before putting the question on the first of such propositions, shall be taken and held to be conclusive, whether in the affirmative or negative, as regards the whole of such propositions.
- With regard to series of propositions.
- 151.** In debating the Previous Question, Members may debate the original question, whether amended or not, and the whole debate is open to adjournment.
- Relation to debate.
Adjournment.

PREVIOUS QUESTION

May be
withdrawn
and again
moved.

152. The Previous Question may, be leave of the Council, be withdrawn by the Mover; and may be again moved during the same debate.

Rule in Committee see Order No. 365.

No Reply see Order No. 176. *How superseded* see Order No. 122(i).

ORDERS OF THE DAY

CHAPTER XV

ORDERS OF THE DAY

153. An Order of the Day is a Bill or other matter which the House has ordered to be taken into consideration on a particular day. Order of the Day defined.

154. An Order of the Day does not require a seconder. Need not be seconded.

See Order No. 119.

155. An Order of the Day may, on the motion of the Member in charge thereof, be discharged on being read or after it has been debated, or as provided in Order No. 68. How discharged.

156. In the absence of the Member in charge thereof an Order of the Day may be moved or postponed by any other Member, but may not be discharged except on Motion after Notice. In absence of Member in charge.

157. When postponing an Order of the Day it shall not be competent to propose, by way of amendment, a time beyond the probable duration of the Session, except after Notice. Restriction on period of postponement.

See also (*Adjournment of Debate*) Order No. 196.

Order on Notice Paper and *Order in Business* see Orders Nos. 64-66 and 67-78.

Revival, when not read or lapsed see Orders Nos. 73, 74.

Postponement and Revival at Commencement of Business see Order No. 68.

RESOLUTIONS AND ORDERS

CHAPTER XVI

RESOLUTIONS AND ORDERS

Definition.

158. By Resolution the Council declares its opinions and purposes; and by Orders it directs its Committees, Members, and Officers, and other persons, and the order of its own proceedings.

See (*Instructions*) Orders Nos. 421-428.

Resolution rescinded.

159. A Resolution of the Council may be read and rescinded; but no such Resolution may be rescinded during the same Session, except with the concurrence of an absolute majority of the whole number of Members of the Council upon Motion after at least seven days' Notice: Provided that to correct irregularities or mistakes one day's Notice only shall be sufficient.

Order discharged.

160. An Order of the Council may be read and discharged, or the proceedings thereon may be declared to be null and void, on Motion after Notice.

Orders of the Day see Orders Nos. 153-157.

CONDUCT IN HOUSE

CHAPTER XVII

CONDUCT OF MEMBERS AND ORDER IN DEBATE

CONDUCT IN HOUSE

161. Whenever the President rises during a debate, any Member then speaking or offering to speak shall sit down, and the Council shall be silent, so that the President may be heard without interruption.

When the President rises.

162. When the President is putting a question, no Member shall walk out of or across the Chamber.

Or puts a question.

163. Members shall make obeisance to the Chair on entering or leaving the Chamber.

When Members enter or leave Chamber.

See also (*Message from Governor*) Order No. 243.

164. No Member shall pass between the President and the Member who is speaking.

When passing about the Chamber.

165. Members shall take their places when they come into the Chamber, and shall not at any time stand in any of the passages or gangways when attention is called thereto by the President.

Members to take their places.

See (*Places*) Orders Nos. 44-47.

ORDER IN DEBATE - RIGHT OF SPEECH

ORDER IN DEBATE

Right of Speech

Right of Member to speak when Member's business called on.

166. Whenever a Notice of Motion is called on, or an Order of the Day is read, the Member in charge of the business in question, or entitled to preaudience thereon, shall be held to be in possession of the House, if the Member desires to speak.

See also Orders Nos. 59 and 182; and (*Preaudience*) Orders Nos. 197, 198.

Place whence Members may speak.

167. Every Member desiring to speak shall rise in their place or in the place of some other Member who does not object thereto, and address the President; and may advance to the Table for the purpose of continuing the address.

To address President.

See (*Places*) Orders Nos. 44-47.

Indulgence to Members unable to stand.

168. By the indulgence of the Council, a Member unable conveniently to stand, by reason of sickness or infirmity, may speak sitting.

President names a Member to be heard.

169. If two or more Members rise to speak at the same time, the President shall name the Member whom the President first saw rising to speak; which Member shall be entitled to preaudience.

Speeches not to be read.

170. Speeches must not be read, but Members may refer to notes.

When Member may speak.

171. A Member may only speak -

Upon a Motion or Amendment to be moved or seconded by the Member:

Upon a Question from the Chair:

Upon a Question of Order:

Upon a Question of Privilege.

ORDER IN DEBATE - RIGHT OF SPEECH

172. If a Member, having risen and being called upon by the President, fails to begin (or to proceed) speaking, the President may direct such Member to be seated, and may call upon some other Member.

Member rising, but not speaking.

173. By the indulgence of the Council, a Member may explain matters of a personal nature although there be no question before the Council; but such matters may not be debated.

Personal explanation when no debate.

174. No Member may speak more than once during a debate, except in explanation or reply or to a Point of Order or Privilege suddenly arising:

Member not to speak twice in same debate.

Provided that when a lapsed Bill has been restored to the Notice Paper pursuant to Section 57 of the *Constitution Act 1934*, as amended from time to time, and the debate on any motion relating to that Bill has been resumed, any Minister or other Member who had spoken on that motion before the restoration of the Bill, shall have the same rights to speak in the debate after such restoration, as if the Minister or other Member had not spoken before such restoration.

Exceptions.

See (*other Exceptions*) Orders Nos. 175, 176, 200.

175. A Member who has spoken may again be heard, to explain in regard to some material part of the speech on which the Member has been misquoted or misunderstood, but shall not introduce any new matter or interrupt any Member in possession of the Chair.

Explanation.

176. Reply shall be allowed to a Member who has made a substantive Motion, but not to any Member who has moved an amendment, the Previous Question or an Instruction to a Committee.

Reply.

ORDER IN DEBATE - RIGHT OF SPEECH

Reply where Motion moved by one Member for another.

177. Where a Member has, by leave of the Council, moved a Motion, Notice of which was given by another Member, the right of Reply shall belong to the former, but may be waived by that Member in favour of the other Member.

See Order No. 115.

Reply closes debate.

178. The Reply of the Mover of the original Motion closes the debate.

Seconder of Motion may reserve speech.

179. It shall be competent to a Member when seconding a Motion or Amendment without speaking to it, to address the Council on the subject of such Motion or Amendment at some subsequent period of the debate.

Motion without Notice to print Paper not debated, unless covering Ministerial Statement.

180. Upon a Motion for the printing of a Paper, made by a Minister of the Crown without Notice when laying the same on the Table, no discussion shall arise unless the Motion has been moved for the purpose of making a Ministerial Statement.

See also Orders Nos. 450, 418, 419; and (Printing) Order No. 451.

Loud conversation or repeated interjections not allowed.

181. No Members shall converse aloud or make repeated interjections or other disturbance whilst any other Member is orderly debating, or whilst any Bill, Order, or other matter is being read or opened.

See (When President rises) Order No. 161.

Member not to be interrupted.

Exceptions.

182. No Member shall interrupt another Member whilst speaking, unless (I.) the words of the Member speaking be taken down: (II.) to call attention to a point of Order or Privilege suddenly arising: or (III.) to call attention to the want of a Quorum.

See (*Exceptions*) Orders Nos. 207, 200, 54.

No Member to speak after Question put.

183. No Member may speak to any Question after the same has been put by the President and the voices have been given in the affirmative and negative thereon.

See (*Questions put*) Orders Nos. 126, 129.

ORDER IN DEBATE - MATTER OF SPEECH

184. Every Member may of right require the original Question, or any Amendment proposed thereto, to be read by the Clerk for the Member's information at any time during a debate, but not so as to interrupt a Member speaking.

Question read by Clerk.

Matter of Speech

185. No Member shall digress from the subject matter of the Question under discussion, or anticipate debate on any matter which appears on the Notice Paper.

Members not to digress or anticipate.

See (*Anticipatory Motions*) Order No. 117; and (*in Committee*) Orders Nos. 299, 366.

186. The President may call attention to the conduct of a Member who persists in continued irrelevance, prolixity, or tedious repetition, and may direct such Member to discontinue speaking and to be seated. The Member so directed shall not be again heard during the same debate.

Irrelevance, prolixity, or tedious repetition.

See (in Committee) Order No. 367.

187. No Member shall allude to any debate of the same Session upon a Question or Bill not being then under discussion nor to any speech made in Committee, except by the indulgence of the Council for personal explanation.

Debates of same Session and Committee speeches not to be alluded to.

188. No Member shall quote from any debate of the current Session in the other House of Parliament or comment on any measure pending therein unless such quotation be relevant to the matter then under discussion.

Quotation from, and comment on, debate in the other House.

189. No Member shall read extracts from newspapers or other documents, referring to debates in the Council during the same Session, excepting *Hansard*.

Extracts referring to debates not to be read, except *Hansard*.

190. No reference shall be made to any proceedings of a Committee of the whole Council or of a Select Committee, until such proceedings have been reported except for evidence that has been given to a Select Committee in public and authorised to be published.

Proceedings of Committees not to be noticed till reported.

ORDER IN DEBATE - MATTER OF SPEECH -
ADJOURNMENT OF DEBATE

Use of the
Sovereign's
or
Governor's
name.

191. No Member shall use the Sovereign's name or the name of the Governor irreverently or to influence a debate.

Reflections
on votes or
Statutes.

192. No Member shall reflect upon any vote of the Council or upon any Statute, except upon a Motion for rescinding or repealing the same.

Objectionable
words and
injurious
reflections.

193. The use of objectionable or offensive words shall be considered highly disorderly; and no injurious reflections shall be permitted upon the Governor or the Parliament of this State, or of the Commonwealth, or any Member thereof, nor upon any of the Judges or Courts of Law, unless it be upon a specific charge on a substantive Motion after Notice.

See also (*Disorder, etc.*) Orders Nos. 208-218;
(*Objection taken*) Order No. 207; and (*in Committee*)
Order No. 359.

On Presenting Petitions, Papers, and Reports, see
Orders Nos. 95; 180, 419, 450, 451: 13, 306, 310,
376, 410.

On Urgent Public Matter see Order No. 116.

On Previous Question see Orders Nos. 149, 151.

On Privilege and Order see Orders Nos. 200, 201.

On Suspending Standing Orders see Order No. 458.

Paper Quoted in Debate see Order No. 452.

Closure and Adjournment see Orders Nos. 127, 128;
59; 195-197.

Adjournment of Debate

Adjournment
of debate.

194. A Debate may be adjourned either to a later hour of the same day or to any other sitting day.

ADJOURNMENT OF DEBATE

195. A Motion - “That this Debate be now adjourned” - may be moved without Notice at any time during a debate by a Member who has not already spoken in the debate, if so made as not to interrupt a Member speaking, and shall be moved and seconded without discussion, and be immediately determined; but if negatived, no such Motion shall be again entertained within the next fifteen minutes, unless moved by the Member in charge of the Bill or other matter which is in debate.

Motion for adjournment of debate.

If negatived.

Members moving or seconding this Motion shall not be held to have spoken in the debate.

See (*Other Summary Motions*) Orders Nos. 59, 127.

196. Upon a Debate being adjourned, a Motion shall be made to appoint a time for its resumption, the debate whereupon shall be strictly limited to the choice of date; nor shall a day beyond the probable duration of the Session be proposed by way of amendment thereto except after Notice.

Time fixed for resumption.

Limit to debate and to date.

See also (*Orders of the Day*) Order No. 157.

197. It is not competent for a Member to move, while speaking to a Question, the adjournment of the Debate; but at the unanimous pleasure of the Council leave may be obtained for the Member’s speech to be concluded at a future time, and the Debate shall be thereby adjourned.

Adjournment of debate whilst speaking to Question.

198. The Member, upon whose Motion any Debate shall be adjourned, shall be entitled to preaudience on the resumption of the Debate; but a Member who is granted leave to continue speaking and fails so to continue immediately on resumption of the Debate, shall not speak again at any subsequent stage of the debate.

Preaudience.

See also Order No. 166.

Resumption of Interrupted Business, see Orders Nos. 71, 76, 77, 128, 372-374.

ORDER IN DEBATE - ORDER AND PRIVILEGE

Order and Privilege

Order
maintained
by President.

199. Order shall be maintained in the Council by the President.

See (*in Committee*) Order No. 357.

Speaking
"to Order"
or Privilege.

200. Members may rise at any time to speak "to Order" or upon a matter of Privilege suddenly arising, except that while the Council is dividing, a Member can only speak to a point of Order by permission of the President and while covered and seated.

During
Division.

Precedence
to Question
of Order or
Privilege.

201. All Questions of Order or Privilege shall temporarily suspend the consideration and decision of every other Question; but an adjourned debate on such Questions shall not be entitled to precedence unless so ordered.

Questions
of Privilege
referred to
Committee.

202. All Questions of Privilege, except a Question arising out of the relations between the two Houses of Parliament, shall be at once referred without debate to a Committee of Privilege for inquiry and report, if a Minister of the Crown so claims or the Council so resolves; and on the report of the Committee being received, the Council may take such action as shall appear expedient.

Complaint
against
Media.

203. Any Member, complaining to the Council of a statement published in the media as a Breach of Privilege, shall produce a record of the media containing the statement in question, and be prepared to give the name of the printer or publisher.

Proceedings
on Question
of Order.

204. Upon a Point of Order being raised, the Member called to Order shall be seated, and after the Question of Order has been stated to the President by the Member rising thereto, the President shall give a ruling or decision thereon.

ORDER IN DEBATE - ORDER AND PRIVILEGE

205. If any objection be taken to a Ruling or decision of the President, such objection shall, except during a Division, be taken at once and not otherwise; and having been stated in writing, a Motion shall be made, which, if seconded, shall be proposed to the Council and debate thereon shall stand adjourned and be the first Order of the Day for the next sitting day, unless the Council decides that the matter requires immediate determination.

Objection to Ruling of the President.

See (*Chairperson*) Order No. 360.

206. If any question arise on any Point of Order during a Division, the President shall decide it, and no exception shall be taken to such decision until the Division is concluded.

Decision on Point of Order during Division.

See also Order No. 200.

207. When any Member objects to words used in debate, and stating them, desires that they should be taken down, the President, if it appears to be the pleasure of the Council, shall direct them to be taken down by the Clerk accordingly.

Objectionable words taken down.

Every such objection must be taken at the time when such words are used, and shall not be afterwards entertained.

Objection to be taken at once.

See also Order No. 193 and (*in Committee*) Order No. 359.

Rules as to Disorder, etc., see Orders Nos. 208-218.

Strangers see Orders Nos. 445-447.

DISORDER, SUSPENSION, ARREST

CHAPTER XVIII

DISORDER - SUSPENSION - ARREST

Disorderly
conduct
stated.

208. If any Member persistently and wilfully -

(a) obstructs the business of the Council;

or

(b) refuses to conform to any Standing or other Order of the Council, or to regard the authority of the Chair,

or if any Member, having used objectionable words, refuses either to explain the same to the satisfaction of the President, or to withdraw them and apologise for their use; the President shall name such Member and report the offence to the Council.

Procedure.

See (*Conduct of Members and Order in Debate*)
Orders Nos. 161-207.

If occurring
in Committee.

209. The President shall similarly report to the Council any Member whom the Chairperson of Committees shall have reported as having committed any of the foregoing offences in a Committee of the whole Council.

See (*in Committee*) Orders Nos. 357-359.

Suspension.

210. When any Member shall be so reported by the President, a Motion may forthwith be made - "That such Member be suspended from the service of the Council" - and such Motion shall be moved and seconded without discussion and be immediately determined.

Period of
suspension.

211. If a Member be suspended, the Suspension shall, unless otherwise ordered, be on the first occasion for the remainder of that day's sitting; on the second occasion of the same Session, for one week; and on the third or any subsequent occasion of the same Session, for one month.

DISORDER, SUSPENSION, ARREST

212. A Member who has been suspended shall immediately withdraw from the precincts of the Council, and shall not presume to re-enter the Chamber during the period of the suspension. Black Rod shall act upon such orders as may be received from the Chair in pursuance of this Order.

Member suspended to withdraw from precincts. Black Rod.

213. In cases of very grave disorder the President may, if the President thinks it necessary so to do, adjourn the Council without question put, or suspend the sitting for a time to be named by the President.

Power to President to adjourn Council or suspend sitting.

214. Whenever a Charge is made against a Member upon any matter which has been reported from a Committee or has otherwise arisen, the Charge must be raised upon a substantive Motion after Notice, and shall be stated before the Member accused shall withdraw. Such Member shall then be allowed the opportunity of explaining to the Council the motives of the conduct in the matter alleged against the Member; after which the Member shall withdraw, and the Council shall at once take the case into consideration.

When Charge made against a Member.

See (*Charge in Select Committee*) Order No. 399; and (*Objectionable Words and Charges against Persons*) Order No. 193.

215. If any Member shall wilfully disobey any Order of the Council, the Member may be ordered to attend in the Member's place, or, if the Member be under suspension, at the Bar, to answer for the conduct; and, in default, or if the Member's excuses be deemed unsatisfactory, the Member may be suspended or otherwise dealt with, at the pleasure of the Council.

When Orders of Council disobeyed.

216. Black Rod shall, on being directed by the President, deliver into custody any Stranger whom the President may see, or who may be reported to the President to be in any part of the Chamber appropriated to the Members of the Council; and also, any Stranger who, having been admitted into any other part of the

Arrest of Strangers in the Chamber or Gallery.

DISORDER, SUSPENSION, ARREST

Chamber or Gallery, shall display improper conduct or shall not withdraw when Strangers are ordered to withdraw, or who shall obstruct the approaches to the Chamber or occasion a disturbance within the precincts thereof.

Arrests to be reported and time fixed for further procedure.

217. If a Member or other person be ordered into custody, the arrest shall be reported to the Council by the President without delay; and a time shall be fixed for such Member or other person to be brought to the Bar to be censured, fined, committed, or otherwise dealt with by the Council. The Member or person so committed shall remain in custody for the period directed, unless sooner discharged by Order of the Council, or the fine be paid, or the Session of Parliament be concluded.

Period of custody.

Council will not permit quarrels.

218. The Council shall interfere to prevent the prosecution of any quarrel between Members arising out of debates or proceedings of the Council or any Committee thereof.

Witnesses, see Order No. 432.

DIVISIONS

CHAPTER XIX

DIVISIONS

219. The Council shall not proceed to a Division if only one voice has been given for the Ayes or for the Noes.

If only one voice on either side, no Division.

See *Call for Division* Order No. 129.

220. A Member calling for a Division shall not leave the Chamber until the Division is concluded, and shall vote with those whose voices, in the opinion of the President, were in the minority.

Member calling must vote with minority of voices.

See Order No. 129.

221. A call for a Division may, by leave of the Council, be withdrawn, at any time before the Tellers are appointed, and the Division shall not be proceeded with.

Call may be withdrawn.

222. Before the Division is proceeded with, the Clerk shall ring the Division bells and, so soon after the lapse of two minutes as the President shall direct, the doors shall be closed and locked, and so remain until the Division is concluded, so that no Member may enter or leave the Chamber.

Bells rung.

Doors locked after two minutes.

223. When the doors have been locked and the Bar drawn, and all the Members are in their places, the President shall again put the question to the Council, and direct the "Ayes" to proceed to the right side of the Chair, and the "Noes" to the left side, and shall appoint one Teller for each party.

Question put and Members divide to right and left.

224. Every Member, except the President, present within the Bar when the Question is so put, and qualified to vote, shall be required to vote.

All present, except the President, must vote.

See also (*in Select Committee*) Order No. 394.

DIVISIONS

Pecuniary
interest.

225. No Member shall be entitled to vote upon any question in which the Member has a direct pecuniary interest not held in common with the rest of the subjects of the Crown, and the vote of any Member so interested may, on Motion, be disallowed by the Council; but this Order shall not apply to Motions or Public Bills which involve questions of State policy.

Vote
disallowed.
Exception.

See (*in Committee of the Whole*) Order No. 362; and (*Select Committee*) Order No. 379.

No Member
to vote unless
present when
the Question
is put.

226. No Member shall be entitled to vote unless the Member was present within the Bar when the Question was put with the doors locked, and the vote of any Member not so present shall be disallowed by the President.

Members
counted, and
names taken
down.

227. Members having taken their sides, every Member shall then be counted and the Member's name taken down by the Teller for the respective side, who shall sign the list and present the same to the President, who will declare the result to the Council.

If only one
Member on
one side.

228. If there shall be only a single Member on one of the sides, the Division shall not further proceed; and the President shall declare for the "Ayes" or "Noes" as the case may be.

In case of
error Council
again to
divide.

229. In the case of confusion or error concerning the names or the numbers reported, unless the same can be otherwise corrected, the Council shall proceed to another Division.

Mistakes
corrected
in Minutes.

230. If it shall afterwards appear that the names or numbers have been inaccurately recorded, the President shall order the Minutes to be corrected.

DIVISIONS

231. In the case of an equality of votes, the President shall give a *Casting Voice, and any reason given by the President shall be entered in the Minutes. President gives casting voice.

Where the casting voice of the President has not been exercised, the concurrence or non-concurrence in the passing of the second or third reading of any Bill may be indicated by the President.

See (*in Committees*) Orders Nos. 361, 389 and Joint Standing Order No. 6.

232. The Division lists shall be entered by the Clerk in the Minutes. Lists entered in Minutes.

Speaking to Order during Division see Order No. 200.

President's Ruling during Division see Order No. 206.

Divisions not to be interrupted see Orders Nos. 60, 69.

* See *Constitution Act*, Sec. 26.

THE BALLOT

CHAPTER XX

THE BALLOT

Bells first
rung.

233. Before the Council proceeds to Ballot, the bells shall be rung for two minutes as for a Division.

See Order No. 222.

Ballot, how
taken.

234. The Ballot shall be taken in the following manner:-

A list of the Members, initialled by the Clerk, shall be handed to each Member present, who shall strike out thereon the names of so many Members as are required to be elected whom the Member may think fit and proper to be chosen; and when all the lists are collected, the Clerk, together with two Members to be named by the President, shall ascertain and report to the President the names of the required number of Members having the greatest number of votes; which Members shall be declared to be duly elected. In case of a tie between two or more Members, the President shall determine by lot which shall be chosen. If any list contains a larger or lesser number of names than is required it shall be void and rejected.

Voting for President see Orders Nos. 18-20.

Ballots not to be interrupted see Orders Nos. 60, 69.

ADDRESSES

CHAPTER XXI

ADDRESSES

- 235.** Addresses to the Sovereign, to either House of the Imperial or the Commonwealth Parliament, or to the Governor, shall be proposed on Motion after Notice, except in cases of urgency, and when agreed to shall be signed by the President. Address to the Sovereign, Imperial or Commonwealth Parliament, and Governor.
- 236.** Addresses of congratulation and of condolence to Members of the Royal Family, and to other persons, shall be proposed and signed in a similar manner. To Members of Royal Family and others.
- 237.** Addresses to the Sovereign, or any Members of the Royal Family, and to other persons, shall be transmitted to the Governor by the President, requesting the Governor to cause the same to be forwarded for presentation. How presented to Sovereign, etc.
- 238.** Addresses to either House of the Imperial or Commonwealth Parliament shall be forwarded in a similar manner for presentation, or, by vote of the Council, be transmitted for that purpose by the President to some Peer or Member of the said Parliaments. How presented to Imperial or Commonwealth Parliament.
- 239.** Addresses to the Governor shall be presented by the President, unless ordered to be presented by the Council in a body or by a deputation of Members named for that purpose. How presented to Governor.
- 240.** When an Address is ordered to be presented by the whole Council, the President, with the Council, shall proceed to Government House, and being admitted to the Governor's presence, the President shall read the Address to the Governor, the Members who moved and seconded such Address being on the President's left hand. When presented by the whole Council.

ADDRESSES

Governor's
reply, how
reported.

241. When an Address has been presented to the Governor by the whole Council, the Governor's reply shall be reported to the Council by the President; but if by a deputation, then by the Member first named thereon.

Address in Reply see Orders Nos. 12, 13, 15.

Addresses for Papers see Order No. 449.

Joint Addresses see Joint Standing Orders Nos. 10-13.

MESSAGES FROM THE GOVERNOR

CHAPTER XXII

MESSAGES FROM THE GOVERNOR

242. Whenever a Message from the Governor shall be announced by Black Rod, the business of the Council shall be immediately suspended, and the bearer of the Message shall be introduced to deliver the same to the President in the Chair. How received.

See (*Interrupted Business*) Orders Nos. 76, 373.

243. The President shall immediately read the Message to the Council. How read.

244. So soon as the Message has been read, the bearer of the Message shall withdraw. Messenger withdraws.

245. The Message may, if necessary, be at once considered, or may be ordered to be printed and a future time fixed for its consideration. Message, when considered.

246. A Message from the Governor may be communicated to the Council by a Minister of the Crown from the Minister's place in the Council. Communicated by Minister.

When Council in Committee see Order No. 373.

Recommending Amendments to Bills see Order No. 342.

COMMUNICATION BETWEEN THE TWO HOUSES

CHAPTER XXIII

COMMUNICATION BETWEEN THE TWO HOUSES

Modes of communication.

247. Communication with the House of Assembly shall be by Message, by Conference, or by Committees conferring with each other.

BY MESSAGE

Messages moved for without Notice.

248. A Motion to communicate any Resolution of the Council to the House of Assembly by Message may be moved without Notice.

To be signed by President and delivered by Clerk.

249. Every Message from the Council to the House of Assembly shall be in writing and signed by the President, and shall be delivered to the House of Assembly by the Clerk, the Deputy Clerk, or a Clerk-Assistant, or to the Speaker if the House of Assembly is not sitting.

See (*in Writing*) Order No. 3.

From the House of Assembly, how received.

250. Every Message from the House of Assembly to the Council shall be received without delay by the Deputy Clerk, or a Clerk-Assistant, at the Bar, and be reported by the President as early as may be convenient. A future time shall then be appointed for its consideration unless the Council orders it to be dealt with forthwith.

See (*Interrupted Business*) Order No. 76; and (*on Bills*) Order No. 327.

 BY CONFERENCE

Conference requested by Message.

251. Conferences desired by the Council with the House of Assembly shall in all cases be requested by Message.

BY CONFERENCE

252. In requesting a Conference, the Message from the Council shall state in general terms the object for which the Conference is desired, and the number of Managers proposed to serve thereon, which shall, unless otherwise ordered, be not less than five.

Object of Conference and number of Managers to be stated.

253. Every Motion for requesting a Conference shall contain the names of the Members proposed by the Mover to be the Managers for the Council, but if, upon such Motion, any one Member shall so require, the Managers for the Council shall be selected by ballot.

Managers nominated, but may be appointed by ballot.

See (*Ballot*) Orders Nos. 233, 234.

254. Conferences may be held during any adjournment of the Council, but when held during a sitting, the business of the Council shall be suspended, unless otherwise ordered by the Council.

Time for holding Conference.

See (*Interrupted Business*) Order No. 76; and (*in Committee*) Order No. 373.

255. No Conference shall be requested by the Council upon the subject of any Bill or Motion of which the House of Assembly is at the time in possession.

By whom Conference requested.

256. The number of Managers to represent the Council in a Conference requested by the House of Assembly shall be the same as that of the Managers for the House of Assembly.

If by House of Assembly, number of Managers.

257. In respect of a Conference requested by the House of Assembly, the time and place for holding the same shall be appointed by the Council; and when the Council requests a Conference, it shall agree to its being held at such time and place as shall be appointed by the House of Assembly. Such appointment or agreement shall be communicated by Message.

House agreeing to Conference to name time and place.

BY CONFERENCE

When
Council
receives
Assembly
Managers.

258. At all Conferences requested by the House of Assembly, the Managers for the Council shall assemble at the time and place appointed, and receive the Managers for the House of Assembly.

Communi-
cations to be
in writing.

259. The Resolutions to be communicated by the Managers for the Council shall be in writing; and the Managers for the Council shall not receive any communication from the Managers for the House of Assembly unless the same be in writing.

See (*in Writing*) Order No. 3.

Proceedings
at Conference.

260. It shall be the duty of the Managers for the Council -

- (a) when the Conference is requested by the Council - to read to the Managers for the House of Assembly any Resolution adopted by the Council, and to deliver to them the same, together with the Bill (whenever Amendments to a Bill are the subject of the Conference);
- (b) when the Conference is requested by the House of Assembly - to hear and receive from the Managers for that House the like matter which they may have to communicate,

To confer by
word of
mouth.

and thereupon the Managers for the Council shall be at liberty to confer freely by word of mouth with the Managers for the House of Assembly.

Where a Bill is concerned:

Duty of
Managers
for Council
in case of
Bills.

In the case of (*a*), except where otherwise ordered, it shall then be the endeavour of the Managers for the Council to obtain a withdrawal of the point in dispute between the Houses, and failing this, a modification of the same by way of further amendment;

BY CONFERENCE - BY COMMITTEES

And in the case of (b) it shall be competent to the majority of the Managers for the Council to agree to recommend to their House such solution of the question as shall seem to such majority, after conference, most likely to secure the final agreement of the two Houses.

but no Amendment shall be proposed or agreed to by them in any words to which both Houses have so far agreed, unless these be immediately affected by the disagreement in question.

See (*Amendments to Bills*) Order No. 329; and (*in case of Money Bills*) Order No. 341.

261. When the Conference has terminated, the Managers for the Council shall report the result to the Council in writing forthwith or at such time as the Council has otherwise ordered.

Result to be reported.

262. There shall be only one Conference on any Bill or other matter.

Not more than one Conference.

Conference on Bills see Orders Nos. 334, 338; and *Money Bills* Order No. 341.

 BY COMMITTEES

263. Any Select Committee of the Council may be granted leave or ordered to confer with a similar Committee of the House of Assembly; but may not otherwise so confer.

Select Committee to confer by order only.

See (*Standing Committees*) Order No. 416.

264. When any such leave has been granted or order made, it shall be communicated by Message to the House of Assembly, with a request that leave may be given to the similar Committee of that House to confer with the Committee of the Council.

Conference desired by Message.

BY COMMITTEES

Committees
communicate
by word of
mouth.

265. Every Committee of the Council conferring with any Committee of the House of Assembly may confer freely by word of mouth, unless the Council shall otherwise order.

Committees
to report
proceedings
in writing.

266. A Report of the proceedings of every Conference between a Committee of the Council and a Committee of the House of Assembly shall be made in writing to the Council, signed by the Chairperson of its own Committee.

See (*in Writing*) Order No. 3.

The Conferring of Standing Committees see Order No. 416.

Joint Committees see Joint Standing Orders Nos. 1-9.

PUBLIC BILLS

CHAPTER XXIV

PUBLIC BILLS

DEFINITION, INITIATION, CONTENTS, ETC.

267. Every Bill not initiated under the Private Bill Orders or ruled to be a Private Bill shall be deemed to be a Public Bill. Definition of Public Bill.

268. Bills of a hybrid nature introduced to the Council by the Government, which - Hybrid Bills.

(a) have for their primary and chief object to promote the interests of one or more Municipal Corporations, District Councils, or public local bodies, rather than those of Municipal Corporations, District Councils, or public local bodies generally;

(b) authorise the granting of Crown or waste lands to an individual person, a company, a corporation, or local body,

shall be proceeded with as Public Bills, but shall each be referred to a Select Committee after the second reading.

See (*Select Committees*) Orders Nos. 305, 310, 377, *sqq.*

269. Every Public Bill, except such as may be brought from the House of Assembly, shall be initiated, either by a Motion asking for leave to bring in the Bill and specifying its Title; or by a Motion to nominate a Committee, of not less than two Members, to prepare and bring it in. Initiation.

See (*Priority of Motion on Notice Paper*) Order No. 64.

270. The Member having leave, or one of the Committee appointed, to bring in a Bill, shall present a fair copy thereof, signed by the Member, to the Council, at the Bar, and may so present it at any time when other business is not before the Council. Presentation at the Bar.

PUBLIC BILLS

Contents to be mutually relevant.

271. Such matters as have no proper relation to each other shall not be included in one and the same Bill.

Title and clauses.

272. In every Bill, as presented to the Council, the Title shall coincide with the Order of Leave, and there shall be no clause that is not within the Title.

See (*Amendment of Title*) Orders Nos. 293, 315.

Duration of temporary Act to be specified.

273. The duration of any Bill, the provisions of which are intended to be temporary, shall be inserted in a distinct clause at the end thereof.

Amending Act of same Session.

274. A Bill may amend or repeal an Act of the same Session.

Two or more Bills dealing with same subject.

275. If more than one Bill dealing with the same subject appears on the Notice Paper, such of them as the Council may decide shall be withdrawn or deferred, or the Bills may be consolidated.

See (*Instructions*) Order No. 424.

If irregular, to be withdrawn.

276. Every Bill not prepared pursuant to the Order of Leave, or according to the Standing Orders of the Council, shall be withdrawn, unless at the time of the irregularity being noticed the Bill is before a Committee; and if withdrawn, a new Bill may be forthwith presented in lieu thereof under the same Order of Leave.

Bill presented in lieu of one withdrawn.

BILLS APPROPRIATING REVENUE

BILLS APPROPRIATING REVENUE OR CLAUSES DEALING WITH TAXATION, ETC.

277. If any Bill or Amendment received from the House of Assembly be a Bill or Amendment for the Appropriation of any part of the Revenue, or of any tax, rate, duty, or impost, the Council will not proceed with such Bill or Amendment unless the Clerk of the House of Assembly shall have certified upon the Bill that the purpose of such appropriation has been recommended to the House of Assembly by the Governor during the current Session.*

Council will not proceed with Appropriation Bill unless certified.

278. If any Bill, introduced in the Council by the Government, contains a clause - or if a new clause or amendment is inserted therein in Committee - by which, in order to the better carrying out of the main objects of the measure, Revenue or other public money is appropriated, or if such clause or amendment deals with taxation or the raising, guaranteeing, or repaying, of any loan, the said clause or amendment shall be printed in erased type and shall not be deemed to form any part of the Bill.

Clause appropriating Public Money dealing with taxation, etc., to be in erased type.

The Message transmitting the Bill to the House of Assembly for its concurrence shall also draw attention to the suggestion indicated by the clause or amendment printed in erased type, stating that such a clause or amendment cannot originate in the Council, but is deemed necessary to the Bill.

Procedure in Committee see Order No. 298.

* See *Constitution Act*, Sec. 59.

BILLS AMENDING THE CONSTITUTION -
READINGS

BILLS AMENDING THE CONSTITUTION

Council will not proceed with Bill for alteration of Constitution unless certified.

279. If any Bill received from the House of Assembly be a Bill by which an alteration in the Constitution of the Council or House of Assembly is made, the Council will not proceed with such Bill unless the Clerk of the House of Assembly shall have certified upon the Bill that its second and third readings have been passed with the concurrence of an absolute majority of the whole number of the Members of the House of Assembly.*

Certificate in Council see Order No. 321.

Procedure on second and third readings see Order No. 282.

READINGS

Title only read.

280. On every order for the reading of a Bill, the Title only shall be read.

Effect of negative vote and of six months' postponement.

Order not to be suspended.

281. If the question that a Bill be now read a second or a third time be negatived, the Bill may be revived, on Motion after Notice or as provided in Order No. 68, but if the Bill be ordered to be read a second or a third time "this day six months", it shall be withdrawn from the Notice Paper, and shall not be revived during the same Session. This Standing Order shall not be suspended.

Constitution Bills: procedure when majority less than absolute majority.

282. Before the question for the second or third reading of a Bill to alter the Constitution of either House of the Legislature is put from the Chair, the President shall count the Council; and, if the question be carried by a majority less than an absolute majority of the whole

* See *Constitution Act*, Sec. 8.

READINGS

number of the Members of the Council, the Bill shall be read a second or third time, as the case may be, but shall not be further proceeded with, nor shall it be revived during the same Session. This Standing Order shall not be suspended.

Order not
to be
suspended.

First Reading

283. Upon a Bill being presented by a Member or received in due order from the House of Assembly for the concurrence of the Legislative Council, the Bill shall be read a first time without any question being put.

First
Reading.

284. After the First Reading, the Bill shall be printed and the Second Reading of the Bill may be moved forthwith or on motion at a later hour of the same day or made an Order of the Day for a future day. If the Second Reading of the Bill is moved forthwith after its First Reading, the debate thereon shall be immediately adjourned until a future day.

Second
Reading.

Alterations of text see Order No. 324.

285. *Standing Order repealed.*

Second Reading

286. On the Order of the Day being read for the Second Reading of a Bill, the Question shall be proposed "That this Bill be now read a second time".

Question for
Second
Reading.

287. To such Question the only Amendments which may be moved shall be -

Amendments
to Question.

(i) To leave out "now", and to add "this day six months";

or

(ii) In the form of a Resolution strictly relevant to the objects of the Bill,

but the Previous Question may be proposed.

READINGS - COMMITTAL

How
determined.

The Amendments stated in paragraph (i.) are not themselves open to amendment, and whenever they are moved, the decision of the Council as to whether or not the word "now" shall stand shall be held to be conclusive upon the whole question, and the President shall forthwith declare the Second Reading to be carried or to be deferred for six months, as the case may be.

See (*Previous Question*) Orders Nos. 144-152.

See also (*as to revival*) Order No. 281; and (*Constitution Bills*) Order No. 282.

 COMMITTAL

Committal.

288. Every Bill, on being read a second time, shall, except as provided in Order No. 282, stand committed, and unless it be on motion or by these Orders, referred to a Select Committee, or a Motion be made for the Committee stages to be taken on motion at a later hour of the same day or made an Order of the Day for a future day, the President shall leave the Chair and the Council shall resolve itself into a Committee of the Whole for the consideration of the Bill: Provided that where Notice of an Instruction has been given such Instruction may be first disposed of.

Instruction.

See (*Instructions*) Orders Nos. 421-428; (*Hybrid Bills*) Order No. 268; and (*Consolidation Bills*) Joint Standing Order No. 18.

Restriction
on reference
to a Select
Committee.

289. No Motion for referring a Bill to a Select Committee shall be entertained after the Chairperson of Committees shall have reported the Bill.

Recommittal see Orders Nos. 307, 313.

COMMITTEES ON BILLS

COMMITTEES OF THE WHOLE ON BILLS

290. The following order shall be observed in considering a Bill and its title, viz.:- Order of consideration.

- (I.) The Clauses *seriatim* and any proposed new Clauses;
- (II.) Postponed Clauses (not having been specially postponed to certain other Clauses);
- (III.) The Schedules and any proposed new Schedules;
- (IV.) The Preamble;
- (V.) The Title,

and the same order shall be observed when a Bill is reconsidered or recommitted.

See (*in Select Committee*) Order No. 305.

291. The Chairperson shall read each Clause and Schedule separately to the Committee, and shall put upon each Clause and Schedule the question “That this Clause (*or* Schedule) stand as printed.” Clauses and Schedules read and put.

In reading the Clauses and Schedules it shall be sufficient to read the numbers and marginal notes only. In what manner read.

292. The words of Enactment at the beginning of a Bill are not to be put to the Committee unless under an Instruction from the Council. Words of Enactment.

See (*Instructions*) Orders Nos. 421-426.

293. Any Amendment may be made to any part of a Bill, provided the same be relevant to the subject matter of the Bill, or pursuant to any Instruction, and be otherwise in conformity with the Standing Orders of the Council; but if any Amendment shall not be within the Title, the Committee shall amend the Title accordingly and report the same specially to the Council. Amendments must be relevant, etc.

Title.

See (*Instructions*) Orders Nos. 421-426 and (*Amending Title at Third Reading*) Order No. 315.

COMMITTEE ON BILLS

Principle of
Bill not to
be reversed.

294. No Amendment shall be made by which the principle of a Bill, as affirmed by its Second Reading, is reversed.

Decisions
not to be
reviewed
till Bill
recommitted.

295. No new Clause or Amendment shall at any time be proposed which is substantially the same as one already negated by the Committee, or which is inconsistent with one that has been already agreed to by the Committee, unless a recommitment of the Bill shall have intervened.

See also Order No. 364; (*on Reconsideration*) Order No. 300; and (*Same Question*) Order No. 124.

Clauses put
as amended.

296. If a Clause or Schedule be amended, a further question shall be put, "That the Clause (*or* Schedule) stand as amended".

Clauses
postponed.

297. Any Clause may be postponed, unless it has already been amended.

Clauses in
erased type.

298. No question shall be put upon any Clause printed in erased type.

See Order No. 278.

Debate
confined to
single
question.

299. Debate shall be confined to the Clause, Schedule, or Amendment immediately before the Committee.

See also Orders Nos. 185, 366.

Reconsideration.

300. When a Bill has been gone through, its Reconsideration, in whole or in part, may be moved for the purpose of making Amendment or further Amendment thereto; but upon such Reconsideration no Amendment, not being a merely consequent Amendment, shall be entertained in respect of words which have been the subject either of a previous Amendment or of a proposed Amendment unless the latter was withdrawn.

COMMITTEES ON BILLS

The Bill may also be Reconsidered under this Order for the purpose of adding specified new Clauses or Schedules.

New Clauses
on
Reconsideration.

See also Orders Nos. 290, 295.

301. A Bill shall not be reprinted during its passage through Committee except by Order of the Council.

Not reprinted
before
Report.

302. When the proceedings upon a Bill have not been concluded at the end of any day's sitting of the Committee, the Chairperson shall be directed to report progress and ask leave to sit again.

Reporting
Progress.

303. When the proceedings upon a Bill have been concluded, the Chairperson shall leave the Chair and report the Bill to the Council, with or without Amendments as the case may be.

Bill reported
by Chairperson.

304. The Chairperson shall sign a printed copy of every Bill to be reported, with all amendments fairly written thereon; and the Bill so signed shall be handed by the Chairperson to the Clerk when reporting to the Council.

Chairperson to
sign copy of
Bill and
Amendments:
And hand
copy to
Clerk.

Further procedure in Committee see Orders Nos. 351, *sqq.*

Amendments Generally, and Between the Houses see Orders Nos. 324, *sqq.*

Money Bills see Order No. 341.

Consolidation Bills see Joint Standing Order No. 18.

Procedure before Select Committee

305. The foregoing procedure shall be followed by a Select Committee in considering a Bill, except that a Preamble shall have precedence of the Clauses, and if the allegations contained therein be not found to be true, the Committee, without further considering the Bill, shall so report to the Council. The Committee may also make a Special Report upon the Bill.

Consideration
by Select
Committee.

REPORT

Other Procedure in Select Committees see Orders Nos. 377-413.

Preamble see Order No. 290.

Exception as to Consolidation Bills see Joint Standing Order No. 18.

REPORT

Adoption of
Report.

306. Upon a Bill being reported from a Committee of the Whole Council, with or without amendment, the adoption of the Report may be immediately moved, or a future time may be fixed for that purpose, and the Bill, if amended, shall be printed as reported.

Recommittal.

307. On the Motion for the adoption of the Report, the Bill, either in whole or in part, may, on Motion, be recommitted.

Proposed
new Clauses
to be
indicated.

308. In moving for the Recommittal of a Bill, for the purpose of adding new Clauses or Schedules, Members must indicate to the Council the number and nature of such Clauses and Schedules.

See also Orders Nos. 300, 313.

Third
Reading
fixed.

309. Upon the Report being adopted, the Third Reading shall be made an Order of the Day for a future day.

See (*Exception*) Order No. 313.

When
reported by
Select
Committee.

310. Except where otherwise ordered, every Bill reported from a Select Committee shall, if not Recommended to the same or another Select Committee, or if Notice be not given of a Motion for its withdrawal, be forthwith Recommended to a Committee of the Whole Council for a future day, and the Report of the Committee shall in the meantime be printed.

See (*Exception*) Joint Standing Order No. 18.

REPORT - THIRD READING AND PASSING

311. Bills amended by a Select Committee shall, unless otherwise ordered, be reprinted as amended, with every addition or substitution in italic type, and the omissions therefrom included in brackets and underlined.

If amended by Select Committee, how printed.

THIRD READING AND PASSING

312. On the Order of the Day being read for the Third Reading of a Bill, the question shall be proposed “That this Bill be now read a Third Time”; to which the only Amendment which may be moved shall be, to leave out “now” and to add “this day six months”, which Amendment shall be determined in the manner provided at the Second Reading; but the Previous Question may be proposed.

Question for Third Reading.

Amendments admissible.

See (*as to Revival*) Orders Nos. 281, 282; (*Second Reading*) Order No. 287; and (*Previous Question*) Orders Nos. 144-152.

313. Before the question for the Third Reading is put the Bill, either in whole or in part, may, on Motion, be Recommitted, but in the latter event the number and nature of any proposed new Clauses and Schedules must be first indicated; and if the Bill be reported with Amendment or further Amendment, the Report may be adopted and a future day appointed for the Third Reading, and the Bill shall be again printed as amended; but if no such Amendment has been made, the Bill may be read a Third Time without delay.

Recommittal on Third Reading.

314. Before any Bill which has been referred to a Committee of the Whole Council shall be read the third time, the Chairperson of Committees shall certify in writing that the fair print is in accordance with the Bill as agreed to in Committee and reported, and the President shall announce that the Chairperson has so certified.

Certificate of Chairperson of Committees.

THIRD READING AND PASSING - TRANSMISSION - CERTIFICATES

Question for
passing put
without
debate.

315. So soon as a Bill shall have been read a third time, the President shall, except as provided in Order No. 282, without permitting discussion, amendment, or adjournment, put a question “That this Bill do now pass”: Provided that, if the Title does not conform to the contents of the Bill, the same may be first amended.

Title
amended.

See (*Title*) Orders Nos. 272, 293.

TRANSMISSION AND RETURN TO THE HOUSE OF ASSEMBLY

Council Bill
sent to
Assembly for
concurrence.

316. When a Bill originated in the Legislative Council shall have passed, it shall be sent to the House of Assembly with a Message desiring its concurrence thereto.

Assembly
Bill when
passed
returned.

317. When a Bill originated in the House of Assembly has passed in the Council with or without amendment it shall be returned, with a Message informing that House that the Council has agreed to the same “without amendment”, or “with the amendments indicated by the annexed Schedule, to which amendments the Legislative Council desires the concurrence of the House of Assembly”.

See (*Schedules*) Order No. 339; and (*Suggested Amendments*) Order No. 341.

Consolidation Bills see Joint Standing Order No. 18.

CERTIFICATES

On Council
Bill when
passed.

318. When a Bill originated in the Council shall have passed, the Clerk shall certify it as follows: “This Public Bill originated in the Legislative Council, and having this day passed, is now ready for presentation to the House of Assembly for its concurrence”.

CERTIFICATES

319. When a Bill originated in the House of Assembly shall have passed in the Council without amendment, it shall be certified by the Clerk as follows: “This Bill has been agreed to by the Legislative Council without amendment”.

On Assembly
Bill not
amended.

320. When a Bill originated in the House of Assembly shall have passed in the Council with amendment, the Clerk shall certify it as follows: “This Bill, with the amendment (*or* amendments) annexed, has been agreed to by the Legislative Council”.

On Assembly
Bill
amended.

321. Whenever any Bill, by which an alteration in the Constitution of the Legislative Council or House of Assembly is made, shall have passed its Second and Third Readings in the Council with the concurrence of an Absolute Majority of the whole number of the Members, the Clerk shall certify the Bill accordingly.

On Constitution
Amendment
Bill.

See (*Assembly Certificate*) Order No. 279.

322. In whatever other way the Council shall subsequently deal with a Bill, the Clerk shall at every stage certify it accordingly.

At
subsequent
stages.

323. All Certificates by the Clerk shall be written on the first page of the Bill.

Where to be
written.

Before Presentation to Governor see Orders Nos. 349, 345.

By Chairperson of Committees see Order No. 314.

AMENDMENTS TO BILLS

AMENDMENTS TO BILLS

Generally

Alterations
after First
Reading.

324. After the First Reading and before the Bill is issued to Members, no alteration shall be allowed to be made in the text thereof, except by permission of the President at the request of the Member having the Bill in charge; and only such alterations shall be so permitted as are necessary for the correction of errors of printing or drafting or for the omission of words included by mistake.

Amendment
to be made in
Committee.

325. No Amendment, not being of a merely verbal or formal nature or such as can be made after the Third Reading, shall be made to any Bill after it has been printed and issued to Members otherwise than by a Select Committee or in a Committee of the Whole Council.

Verbal
Amendments
and Clerical
Errors.

326. Amendments of a merely verbal or formal nature may be made, and clerical and typographical errors may be corrected, in any part of a Bill by the President at any time during its progress through the Council.

After Third Reading (Title) see Order No. 315.

Suggested Amendments see Order No. 341.

Governor's Amendments see Orders Nos. 342-345.

General Procedure see Orders Nos. 130, *sqq.* and 290
sqq.

Amendments between the Houses

All Messages
considered
in Committee.

327. Messages coming from the House of Assembly transmitting or dealing with Amendments shall be considered in Committee of the Whole Council, either forthwith or at such future time as the Council shall appoint.

If not considered forthwith, the Message or the Amendments shall be printed as Members may require.

AMENDMENTS TO BILLS

328. No Amendment shall be proposed to an Assembly's Amendment that is not strictly relevant thereto. Amendment must be relevant.

329. No Amendment shall be proposed to any words of a Bill which have been agreed to by both Houses, unless it be strictly relevant to or consequent upon the acceptance, amendment, or rejection of a previous Amendment as hereinafter provided. Amendment to Bill restricted.

See Orders Nos. 333, 334, 336; and (*at Conference*) Order No. 260.

330. Whenever the Council agrees to an Amendment made by the House of Assembly, a Message shall be sent informing that House thereof and returning the Bill if the same be an Assembly Bill. When Amendment agreed to.

331. Whenever the Council disagrees to an Amendment made by the House of Assembly, the Bill shall be returned with a Message informing that House thereof and desiring the reconsideration of the Bill. When Amendment disagreed to.

332. Whenever the Council agrees to an Assembly's Amendment with amendment, or makes any further Amendment to the Bill, the Bill shall be returned with a Message, transmitting a Schedule of such Amendment, and desiring the concurrence of the House of Assembly thereto. When Amendment amended.

See (*Schedules*) Order No. 339.

In Bills Originated in the Council

333. When the House of Assembly returns a Bill with Amendments, such Amendments may be - Assembly's Amendments, how dealt with.

- I. Agreed to, with or without amendment, and with any necessary consequent Amendment to the Bill;

or

AMENDMENTS TO BILLS

- II. Disagreed to; and, if desired, further amendments made to the Bill in words reinstated by disagreement;
 - or
 - III. Postponed as to their consideration for six months,
- or the Bill may be ordered to be laid aside.

Further
proceedings
on Council
Bills.

334. If the House of Assembly again returns the Bill with a Message informing the Council that it -

- I. Insists on its original Amendments to which the Council has disagreed;
- or
- II. Disagrees to Amendments made by the Council;
- or
- III. Agrees to Amendments made by the Council with further amendments;
- or
- IV. Proposes further Amendments in lieu of and relevant to the Amendments disagreed to by the Council,

the Council may -

As to I. - Agree, with or without amendment, to the Amendments to which it had previously disagreed, and make, if necessary, consequent Amendments to the Bill; or may insist on its disagreement to such Amendments,

and may -

As to II. - Insist, or not insist, on its Amendments,
and may -

As to III. and IV. - Agree, with or without amendment, to such further Amendments of the Assembly, making consequent amendments to the Bill, if necessary; or may disagree thereto,

AMENDMENTS TO BILLS

and, if the Council shall so insist or disagree or if the Bill in cases of further Amendment be again returned by the House of Assembly with any of the requirements of the Council still disagreed to, or with further Amendments upon such Amendments to which the Council will not agree, the Council shall either request a Conference or order the Bill to be laid aside.

See (*Conferences*) Orders Nos. 251-262.

335. If the Council resolves not to insist on any of its requirements, a Message shall be sent to the House of Assembly informing that House thereof.

Final
agreement
communicated.

In Bills Originated in the House of Assembly

336. When the House of Assembly -

I. Disagrees to Amendments made by the Council;

or

II. Agrees to Amendments made by the Council with amendments;

or

III. Proposes Amendments in respect of words reinstated by disagreement,

the Council may -

As to I. - Insist, or not insist, on its Amendments; and may make amendments in lieu of and relevant to those to which the House of Assembly has disagreed; or may order the Bill to be laid aside,

and may -

As to II. and III. - Agree to the Assembly's Amendments, with or without amendment, making consequent amendments to the Bill if necessary; or may disagree thereto and insist on its own Amendments; or may order the Bill to be laid aside.

Further
proceedings
on Assembly
Bills.

AMENDMENTS TO BILLS

Final
decision
communicated.

337. If the Council insists, or does not insist, on its Amendments, a Message shall be sent to the House of Assembly informing that House thereof and returning the Bill.

Procedure
after
Conference.

338. If a Conference be held with the House of Assembly, the Bill shall be brought back by the Managers, and if the Recommendations from the Conference be not adopted by the Council, or if no Recommendation be reported by the Managers, the Council shall either resolve not to further insist on its requirements, or shall order the Bill to be laid aside.

If such Recommendations be adopted, or if the Council does not further insist, a Message shall be sent to the House of Assembly accordingly.

See (*Conferences*) Orders Nos. 251-262.

Schedules and Reasons

Schedules of
Amendments.

339. Every Schedule of Amendments, required to be transmitted to the House of Assembly, shall contain specific reference to the page and line of the Bill where words are to be inserted, added, or left out - or to the Amendment of the House of Assembly which is proposed to be amended - and shall describe each proposed Amendment. The Schedule shall be signed by the Clerk and annexed to the Bill.

See (*Schedule*) Orders Nos. 332, 341.

340. *Standing Order repealed.*

BILLS - SUGGESTIONS

Suggestions in Money Clauses

341. Whenever the Council shall, in an Assembly Bill, desire the amendment of any “Money Clause”, as is provided in Part 2 of the *Constitution Act 1934*, as amended from time to time, or the insertion of any such additional “Money Clause”, the foregoing procedure relating to Bills shall be varied in respect of the following particulars, viz:-

Procedure on
Suggested
Amendments.

In Committee

When a Motion - “That it be a suggestion to the House of Assembly to amend any Clause” - has been carried, the Chairperson shall put a question - that the Clause, as suggested to be amended, be agreed to.

Report

The Chairperson shall report that the Committee has gone through the Bill and agreed to the same with certain Suggested Amendments.

The reported Bill when reprinted shall show -

(a) all Suggested Amendments involving insertion of words in erased type;

and

(b) all Suggested Amendments involving deletion of words in erased type, underlined and enclosed in brackets.

Third Reading and Passing

The Question first proposed at the Third Reading shall be - “That the Bill, with the Suggested Amendments, be now read a Third Time and passed”.

BILLS - SUGGESTIONS

Return to the House of Assembly

The Bill shall be returned to the House of Assembly with a Schedule of the Suggested Amendments and the following Message:- The Legislative Council has agreed to the Bill returned herewith titled with the Suggested Amendments indicated by the annexed Schedule, which Amendments the Legislative Council requests the House of Assembly to make to the said Bill.

See (*Schedule*) Order No. 339.

If Returned by House of Assembly

If the House of Assembly does not agree to make the Suggested Amendments, or agrees to make some and not others, or agrees to them with amendment, and returns the Bill to the Legislative Council with a Message to that effect, together with reasons for the action of that House, the Council shall insist or not insist on its Suggested Amendments, or agree or not agree to the Assembly's Amendment. But should the Council so insist or not agree, it shall either request a Conference or lay the Bill aside.

See (*Conferences*) Orders Nos. 251-262.

At Conferences

At a Conference it shall be the endeavour of the Managers for the Council to obtain the agreement of the Managers for the House of Assembly to the Council's requirements, and failing this, to a modification of the same by way of further amendment.

See Order No. 260.

After Conference

If after Conference held there be not agreement with the House of Assembly, the Bill shall be laid aside, and shall not be revived during the same Session.

BILLS - GOVERNOR'S AMENDMENTS

Governor's Amendments

342. Whenever the Governor shall return by Message to the Council any Bill presented to the Governor by the President for the Royal Assent, together with any Amendment which the Governor desires to be made thereto, such Amendment shall be treated and considered in the same manner as Amendments made by the House of Assembly to Bills originated in the Council.

Governor's Amendments treated like those of Assembly.

See Order No. 333; and (*Messages from the Governor*) Orders Nos. 242-246.

343. When the Council shall have agreed to any Amendment recommended by the Governor, with or without amendment, such Amendment, together with any alterations rendered necessary to be made in the Bill in consequence of such Amendment, shall be forwarded by Message to the House of Assembly for its concurrence; and any Amendment made by the House of Assembly thereto shall be dealt with in the same manner as Amendments made by that House to Bills originated in the Council.

If agreed to, to be forwarded to Assembly.

Assembly's Amendments.

See Orders Nos. 333-335.

344. Amendments recommended by the Governor to Bills originated in the House of Assembly which shall have been agreed to by that House and forwarded for the concurrence of the Council, shall be proceeded with in the same manner as Amendments made by the House of Assembly upon the Council's Amendments to Bills first received from the Assembly.

If received through the Assembly.

See Orders Nos. 336-338.

345. When any Amendment recommended by the Governor in any Bill originated in the Council has been agreed to by both Houses, with or without Amendment, the Bill shall be fair printed as amended and presented by the President to the Governor for the Royal Assent, having been certified as in manner hereinafter provided;

When Amendment finally agreed to, Bill again presented to Governor.

LAPSED BILLS - REVIVAL

When
disagreed to.

but if such Amendment be disagreed to by the Council, or if no agreement between the two Houses be arrived at thereon, the President shall again present to the Governor for the Royal Assent the Bill in the form as first presented by the President for that purpose.

See (*Certificate*) Order No. 349.

 REVIVAL IN NEXT SESSION*

Bill revived
in next
Session at
same stage.

346. A Bill which has passed its Second Reading in either House, but shall not have been finally disposed of at the close of the Session, may, in the next Session of the same Parliament, be restored to the stage reached in the previous Session by the carrying of a Motion, after Notice, that the Bill be restored to the Notice Paper.

Such Motion shall be put to the Council without any debate.

See also Order No. 174.

Definition
of
"Parliament"
and "stage".

347. For the purposes of the next preceding Order, and until otherwise defined by law, the word "Parliament" shall comprise the period elapsing between a general election for the House of Assembly and the next ensuing dissolution or expiry of that House; and the word "stage" shall mean the commencement of whatever stage such Bill had reached.

 PRESENTATION FOR ASSENT

Council Bills
when finally
passed
presented to
Governor by
President.

348. Every Bill originated in the Council, which shall have been finally agreed to by both Houses, shall be fair printed and presented by the President to the Governor for the Royal Assent.

* See *Constitution Act*, Sec. 57.

PRESENTATION FOR ASSENT

349. No Bill shall be so presented until certified by the signatures of the President and the Clerk as having originated in the Council and finally passed both Houses.

Bills not to be presented unless certified.

See also Order No. 345.

Bill not Assented to prior to Prorogation see Joint Standing Order No. 17.

 DEPOSIT OF ACTS

350. One copy of every Act of the Parliament, bearing the signature of the Governor, shall be delivered to the Clerk, for deposit amongst the records of the Council.

Copy of all Acts to be deposited with Clerk.

Custody of Records see Order No. 31.

COMMITTEES OF THE WHOLE

CHAPTER XXV

COMMITTEES OF THE WHOLE COUNCIL

Committees
of the Whole,
how
appointed.

351. A Committee of the Whole Council shall, where not appointed by these Orders, be appointed by a Resolution that the Council resolve itself into a Committee of the Whole either “now” or at some future time.

See (*Exceptions*) Orders Nos. 288, 310.

President
leaves Chair
without
Question
put.

352. Whenever an Order is made for the Council to resolve itself into Committee forthwith, and whenever an Order of the Day is read for a Committee of the Whole Council, the President shall leave the Chair without Question put, and the Council shall thereupon resolve itself into such Committee: Provided that, where Notice of an Instruction has been given, such Instruction may be first disposed of.

Instruction.

See Order No. 288; and (*Instructions*) Orders Nos. 421-426.

President to
act as
Chairperson.

353. The President shall, unless it be otherwise ordered, take the Chair of Committees of the Whole Council.

Quorum.

354. A Quorum shall consist of ten Members, including the Chairperson.

See (*Quorum of Council*) Note to Order No. 50.

To consider
only matters
referred.

355. A Committee shall consider such matters only as shall have been referred to it by the Council.

See (in Select Committees) Order No. 397.

Rules of
procedure.

356. Except as provided by the Orders contained in this chapter, the same rules for regulating debate, divisions, order, and general procedure shall be observed in Committee as in the Council itself.

See Orders Nos. 161, sqq., 219, sqq., 199, sqq., etc.; and (*Exceptions*) Orders Nos. 363, 365, 366.

COMMITTEES OF WHOLE COUNCIL

357. Order shall be maintained in Committee by the Chairperson; but disorder therein can only be censured or punished by the Council, and on receiving a Report from the Chairperson.

Chairperson maintains order, but Council punishes disorder.

See (*Disorder, etc.*) Orders Nos. 208-218.

358. If any grave disorder arises, the Chairperson shall leave the Chair and the Council having resumed, make Report to the President.

Grave disorder.

359. When a Member, having used objectionable words, refuses either to explain them to the satisfaction of the Chairperson or to withdraw them, and whenever objectionable words have been taken down, the Chairperson shall forthwith report the occurrence to the President in the Chair.

Objectionable words.

See Orders Nos. 207, 193 and 208, *sqq.*

360. If any objection be taken to a Ruling or decision of the Chairperson, such objection shall be taken at once and not otherwise; and, having been stated in writing, the Chairperson shall leave the Chair and the Council shall resume, and the matter be laid before the President.

Objection to Ruling of Chairperson.

See (*President*) Order No. 205.

361. The Chairperson shall have a Casting Voice only, and any reason for the vote stated by the Chairperson shall be entered in the Minutes.

Chairperson has casting voice only.

See (*President*) Order No. 231.

362. Any Question of Personal Interest as affecting a Member's vote, arising in the Committee, shall be determined by the Committee.

Personal Interest, how determined.

See (*Definition of Interest*) Orders Nos. 225, 379.

363. A Motion made in Committee need not be seconded.

Motions not seconded.

COMMITTEES OF WHOLE COUNCIL

Decisions not to be reviewed till after recommittal.

364. A Motion contradictory of, or inconsistent with, a previous decision of the Committee shall not be entertained unless a recommittal shall have intervened.

See also (*Bill in Committee*) Orders Nos. 295, 300.

No Previous Question.

365. No Motion for the Previous Question can be made in Committee.

Members may speak more than once, and to confine debate to question.

366. Members may speak more than once to the same question, and debate shall be confined to the Motion or Amendment immediately before the Committee.

See Orders Nos. 185, 299.

Irrelevance, prolixity, or tedious repetition.

367. When the Chairperson shall have directed a Member who persists in continued irrelevance, prolixity, or tedious repetition to discontinue speaking, the Member named shall not be again heard during the discussion of the question then before the Chair.

See (*Order in Debate*) Order No. 186.

Want of Quorum noticed.

368. If notice be taken that a Quorum of Members is not present, the bells shall be rung as for a Division, and, if a Quorum be not made up before the expiration of two minutes, the Chairperson shall leave the Chair, and report to the President accordingly.

Members not to leave Chamber.

No Member shall leave the Chamber while the bells are ringing.

See (*Further Procedure*) Order No. 53.

Want of Quorum in Division.

369. If it appears from a Division that a Quorum is not present, the Chairperson shall leave the Chair and report to the President accordingly, and no decision shall be considered to have been arrived at by such Division.

No decision.

See also Order No. 53.

COMMITTEES OF WHOLE COUNCIL

370. When the consideration of all matters referred to a Committee has been concluded, the Chairperson shall leave the Chair and report the Resolutions of the Committee to the Council; and when the consideration of such matters has not been concluded, the Chairperson shall be directed to report progress and ask leave to sit again.

Report.

Progress reported.

See (*Bills*) Orders Nos. 302, 303.

371. A Motion -

- I. That the Question be now put;
- II. That the Chairperson report progress and ask leave to sit again;
- III. That the Chairperson do now leave the Chair,

Certain motions to be immediately determined, and repetition limited.

shall always be in order, if made so as not to interrupt a Member speaking, and shall be moved without discussion and be immediately determined; but none of these motions shall be again entertained within the next fifteen minutes unless it be moved by the Member in charge of the Bill or other matter before the Committee; nor shall any Member, not being such Member in charge, move more than one of such Motions during the same sitting.

See (*Corresponding Motions in Council*) Orders Nos. 127, 195, 59.

372. A Motion “That the Chairperson do now leave the Chair” will, if carried, supersede the proceedings of a Committee, but the Committee may, on Motion after Notice or as provided in Order No. 68, be revived for a future day.

Motion: That the Chairperson leave the Chair.

373. The Chairperson shall leave the Chair without Question put -

When Chairperson leaves Chair without Question put.

Whenever a Message is brought from the Governor;

COMMITTEES OF THE WHOLE - REPORT TO COUNCIL

When the time is come for holding a Conference, or for doing anything which the Council has ordered to be done at a stated time;

For the purpose of reporting Resolutions, Bills, matters of Order, or want of Quorum,

and, on the cause of the interruption, other than a want of Quorum, being disposed of, if any business of the Committee remain unfinished, the same shall be resumed in Committee at the point where it was so interrupted.

Interrupted
business
resumed.

See Orders Nos. 242, 254, 69, 370, etc.; and (*Half Past Six O'Clock Rule*) Order No. 60.

Business
interrupted
by Count-out.

374. If the proceedings of a Committee be interrupted by a Count-out followed by an adjournment of the Council, the Council may order the resumption of such Committee on a future day, on Motion after Notice or as provided in Order No. 68 and the proceedings shall then be resumed at the point where they were so interrupted.

See (Similar Interruption in Council) Order No. 77.

Instructions see Orders Nos. 421-426.

Procedure on Bills see Orders Nos. 288-304.

Strangers see Orders Nos. 445-447.

Speeches and Proceedings see Orders Nos. 187, 190.

REPORT TO COUNCIL

Report
received
without
Question.

375. Every Report from a Committee of the Whole shall be brought up and received by the Council, without Question put.

Resolutions,
how dealt
with.

376. The Resolutions so reported may then be agreed to or disagreed to; or agreed to with amendments, or recommitted; or the further consideration thereof may be postponed.

Bills on Report see Orders Nos. 306-309.

SELECT COMMITTEES

CHAPTER XXVI

SELECT COMMITTEES - STANDING COMMITTEES

SELECT COMMITTEES

Constitution and General Procedure

377. Every Select Committee shall, unless it be otherwise ordered, consist of five Members to be nominated by the mover; but if any one Member so demands, they shall be elected by ballot.

To consist
of five
Members.

378. The President shall be *ex officio* a Member and Chairperson of the Library and Standing Orders Committees, and a Member (and alternating Chairperson) of the Joint Parliamentary Service Committee, but shall not be liable to be elected to any other.

President and
Chairperson
of Committees.

See Order No. 414.

379. No Member shall sit on a Committee who has a direct pecuniary interest in the inquiry before such Committee, not held in common with the rest of the subjects of the Crown and any question of interest arising in Committee may be determined by the Committee.

Pecuniarily
interested
Member not
to sit.

See also Orders Nos. 225, 362.

380. Members may be discharged from attending a Committee and other Members substituted on Motion after Notice.

Members
discharged and
substituted.

SELECT COMMITTEES

Members discharged, named.

381. Any Notice of Motion for discharging, substituting, or adding Members shall contain the names of the Members proposed to be discharged; but the Members to be added or substituted shall be elected by ballot.

New Members elected.

See (*Ballot*) Orders Nos. 233, 234.

Day fixed for bringing up Report.

382. On the appointment of every Committee, a day shall be fixed for the reporting of their proceedings to the Council.

Progress Report.

383. Leave may be granted to a Committee, on the application of the Chairperson, on Motion without Notice, to report, from time to time, its opinions or observations, or the Minutes of Evidence only, or its Proceedings.

Power to send for persons, etc., and to adjourn from place to place.

384. Whenever it may be necessary, the Council may give a Committee power to send for persons, papers, and records, and to adjourn from place to place.

First meeting.

385. The mover for the Committee, if a Member thereof, shall fix the time for its first meeting; otherwise the Clerk shall summon the Members for some convenient time.

Quorum.

386. In Committees consisting of five Members, three shall, unless otherwise ordered, form a Quorum, and in other cases the Quorum shall be appointed by the Council when the Order for the Committee is made.

See also Order No. 417, and Joint Standing Order No. 4.

Election of Chairperson.

387. The Committee, prior to the commencement of business, shall, except where otherwise ordered, elect one of its Members to be Chairperson.

See (*Exception*) Order No. 378.

SELECT COMMITTEES

388. In the absence of the Chairperson, the Committee shall appoint another of its Members to act for the time being.

Absence of
Chairperson.

389. The Chairperson shall have a deliberative vote only.

Chairperson
to have a
deliberative vote
only.

See (*in the case of Joint Committees*) Joint Standing Order No. 6.

390. If after the lapse of ten minutes from the time appointed for the meeting of a Committee, there shall not be a Quorum, the Members present may retire after entering their names on the Minutes of Proceedings of the Committee; and the Clerk shall convene the next meeting.

When no
Quorum at
time of
meeting.

If at any other time a Quorum is not present, the Chairperson shall suspend the proceedings until a Quorum is made up, or adjourn the Committee to some future time.

No Quorum
at other
times.

391. A Committee may adjourn from time to time, and may sit on those days over which the Council is adjourned; but may not sit during the sitting of the Council without permission of the Council.

Adjournment
and sitting.

392. All Committees sitting at the time the President is about to take the Chair shall be informed by Black Rod that the President is about to take the Chair; and all proceedings after such notice shall be null and void.

Committee
to suspend
business on
President
taking the
Chair.

393. The names of the Members attending each meeting shall be entered in the Minutes of Proceedings of the Committee, as also every Motion or Amendment proposed in the Committee, together with the name of the Mover thereof; and if any Division take place, the Chairperson shall take down the names of the Members voting in any such Division, distinguishing on which side of the question they respectively vote.

Records of
proceedings
and divisions.

SELECT COMMITTEES

Doors locked
at division.

Obligation
to vote.

394. The doors of the room are deemed to be locked while a division is being taken, and every Member of the Committee who was present when the question was put is required to vote.

See also (*Divisions*) Orders Nos. 223, 224.

Examination
of Witnesses.

395. The examination of witnesses shall be conducted as follows, viz.:- The Chairperson shall first put to the Witness, in an uninterrupted series, all such questions as the Chairperson may deem essential, with reference either to the subject referred to the Committee or to any branch of that subject, according to the mode of procedure agreed on by the Committee. The Chairperson shall then call on the other Members severally, in the order of their sitting, to put any other questions they may think fit; and the name of every Member so interrogating a Witness shall be noted and prefixed to the questions asked; and all such questions and the replies thereto, together with the name of the questioner prefixed, shall be duly noted by the reporter, unless the Committee otherwise directs, and shall form the Minutes of Evidence of the Committee.

Minutes of
Evidence.

Admission of
Strangers.

396. When a Committee is examining Witnesses, Strangers may be admitted, unless the Committee otherwise resolves but shall always be excluded when the Committee is deliberating.

To consider
only matters
referred.

397. No matters shall be considered which are not within the Order of Reference.

See also (*Committees of the Whole*) Order No. 355.

Evidence,
etc., not to
be disclosed.

398. The Evidence taken by any Committee and Documents presented to such Committee, which have not been reported to the Council, shall not be disclosed or published by any Member of such Committee or by any other person, without the permission of the Council.

See also (*Giving of Evidence*) Order No. 444; and (*after Report*) 453.

SELECT COMMITTEES

399. If any information come before a Committee that charges any Member of the Council, the Committee shall only direct that the Council be acquainted with the matter of such information, without proceeding further thereupon.

Committee to report but not inquire into charges against Members.

See (*Further Procedure*) Order No. 214.

400. Any documents laid before a Committee shall be endorsed by the Chairperson, and shall remain in the custody of the Clerk of the Council, unless released by Order of the Council or President.

Papers to be endorsed by Chairperson, and not released without Order.

See (*Council Papers*) Order No. 31.

401. It shall be the duty of the Chairperson to prepare a draft Report; which shall be printed and circulated amongst the Members of the Committee.

Chairperson to prepare Report.

402. The Chairperson shall present to the Committee, which shall be convened for the purpose of considering the Report, the whole of the draft Report; which may be at once considered; but, if any Member so desires, a subsequent day shall be fixed for its consideration.

Draft Report presented.

403. At the time of considering the Report, it shall be considered paragraph by paragraph or page by page or section by section and on each occasion the Chairperson shall put the question to the Committee – “That this.....(whichever is relevant).....stand part of the Report”.

Report, how considered.

404. If any Member, other than the Chairperson, submits a draft Report to the Committee, the Committee shall first decide upon which Report they will proceed.

Draft Report submitted by other Members.

405. Any amendment to be made by a Member objecting to any portion of the Report shall be proposed by the Member at the time the paragraph to be amended is under consideration, but any Protest or Dissent may be added to the Report.

Report amended.
Dissent or protest.

SELECT COMMITTEES

Reconsideration of Report.

406. After a draft Report has been considered, the whole or any paragraph thereof may be reconsidered and amended.

Chairperson to sign Report.

407. The Report when agreed to shall be signed by the Chairperson.

Report, when to be brought up.

408. The final Report of the Committee shall be brought up on the appointed day unless further time be moved for and granted; but the Council will at any time prior to such day, when there is no other business before the Council, receive the Report.

Report brought up by Chairperson.

409. The Report shall be brought up and presented to the Council by the Chairperson, and shall lie upon the Table.

Report may be read and printed, but not then discussed.

410. Upon the presentation of a Report, no discussion thereon shall take place; but the Report may be ordered to be printed with the documents accompanying it.

See (*Exceptions*) Orders Nos. 13, 419.

Subsequent proceedings to be after Notice.

411. If any measure or proceeding be necessary upon a Report of a Select Committee, not being a Committee on a Bill, such measure or proceeding shall be brought under the consideration of the Council by Motion after Notice, which Notice may be given at the time of the presentation of the Report.

See (*in cases of Bills*) Order No. 310, and Joint Standing Order No. 18.

Closed by Report.

412. A Committee is closed by the bringing up of the Report, not being a progress or interim Report, but may be revived on Motion after Notice.

Revival.

SELECT COMMITTEES -
STANDING COMMITTEES

413. Every Committee shall, until otherwise ordered, have power to award reasonable payment to any professional or other Witnesses, or to any person whom they may deem it necessary to employ in furtherance of the inquiry with which the Committee is charged; and the Chairperson's certificate on the face of an account shall be sufficient authority for its payment by the Clerk of the Council.

Payment of
Witnesses
and others.

Witnesses see Orders Nos. 429, *sqq.*

Committal and Report of Bills see Orders Nos. 288, 305, 310; and Joint Standing Order No. 18.

Instructions see Orders Nos. 427, 428.

Conference with Committees of House of Assembly see Orders Nos. 263-266.

STANDING COMMITTEES

414. On the first day of every Session, until it be otherwise ordered, the Council shall proceed to appoint the following Committees, viz:-

Standing
Orders,
Printing
Committees
appointed.

- (a) A Standing Orders Committee, consisting of the President and four Members;
- (b) A Printing Committee, consisting of five Members,

and their appointment shall be communicated by Message to the House of Assembly.

Communi-
cated to
House of
Assembly.

See (*Time for Appointment*) Order No. 11 and (*Chairperson*) Order No. 378.

STANDING COMMITTEES

How elected.

415. The Members of the said Committees, who are not such *ex officio*, shall be nominated by the Mover, but, if any one Member so demand, they shall be elected by ballot.

See (*ex officio Member*) Order No. 378; and (*Ballot*) Order No. 234.

Powers.

416. Such Committees shall have power to act during the Recess, and, when necessary, to confer, or sit as Joint Committees, with similar Committees of the House of Assembly; and may report to the Council from time to time.

Report.

See (*Joint Committees*) Joint Standing Orders Nos. 1-9.

Quorum.

417. The Quorum of such Committees shall, unless otherwise ordered, be three Members.

See also Order No. 386.

Duties of
Printing
Committee.

418. All Petitions and Papers laid on the Table of the Council which are not already printed by the Government Printer, or the printing of which is not thereupon moved by a Minister of the Crown, shall stand referred to the Printing Committee, and it shall be the duty of such Committee to report from time to time which of the Petitions and Papers referred to them ought, in their opinion, to be printed, and whether in full or in abstract; and it shall be in the power of the Committee to order such Petitions or Papers, or abstracts thereof, to be prepared for press by the Clerk in attendance upon such Committees.

See (*Printing*) Orders Nos. 96, 419, 451; and (*Debate on motion to print*) Orders Nos. 180, 419.

Procedure
after Report
of Printing
Committee.

419. On the Report of the Printing Committee being received, it shall be in order to move that it be adopted, but the details of any individual Paper shall not be open to discussion on such motion. A Member desiring that any Petition or Paper should be printed, which the

STANDING COMMITTEES

Committee has not recommended for printing, may give Notice when the Report has been dealt with, or subsequently, of the Member's intention to move therein.

See (*Priority on Notice Paper*) Order No. 64.

420. *Standing Order repealed.*

INSTRUCTIONS

CHAPTER XXVII

INSTRUCTIONS

Notice
required.

421. Notice shall be required of an Instruction and of every material amendment thereto.

TO COMMITTEES OF THE WHOLE

Scope of an
Instruction.

422. An Instruction empowers the Committee to consider matters which are relevant, and not contradictory, to the Order of Reference, but which had not been expressly referred; and to make Amendments to Bills which are relevant to the Title.

See also (*No reply*) Order No. 176; (*Amendments to Bills*) Orders Nos. 292, 293.

Not to be
mandatory
or superero-
gatory.

423. No Instruction shall be given to such Committee of a mandatory nature, nor to do that which the Committee is already empowered to do.

To divide or
consolidate
Bills.

424. An Instruction may be given to divide a Bill into two or more Bills, or, where two or more Bills are referred to the same Committee, to consolidate them into one.

Effect of
rejection of
Instruction.

425. The rejection of an Instruction to a Committee on a Bill shall not prevent the introduction during the same Session of a separate Bill dealing with the object of such Instruction; but will prevent any Amendment being proposed in Committee on the Bill which would contravene the decision of the Council on such Instruction.

Time for
moving.

426. The time for moving an Instruction to a Committee of the Whole is whenever the Council is about to resolve itself into the Committee in question, before the President leaves the Chair.

See Orders Nos. 288, 352.

Enacting Words see Order No. 292.

INSTRUCTIONS

TO A SELECT COMMITTEE

427. An Instruction to a Select Committee directs the order and course of the proceedings thereof, and extends or restricts the Order of Reference, in terms mandatory or otherwise. ^{Scope and terms.}

428. An Instruction to a Select Committee may be moved either at the time of the appointment of the Committee or subsequently. ^{Time for moving.}

To Joint Committees see Joint Standing Order No. 7.

To Managers at Conferences see Orders Nos. 260, 341.

WITNESSES

CHAPTER XXVIII

WITNESSES

Witnesses
not being
Members,
summoned.

429. Witnesses, not being Members, when ordered to attend before the Council or a Committee of the Whole at the Bar, shall be summoned under the hand of the President, and, if desired by a Select Committee, by summons under the hand of the Clerk.

Member,
how
summoned.

430. When the attendance of a Member of the Council is desired to be examined by the Council or a Committee of the Whole, the Member shall be ordered to attend in the Member's place, and the Order of the Council shall be communicated to the Member by the President.

Member
desired by
Select
Committee.

431. If any Select Committee desires the attendance of a Member as a Witness, the Chairperson shall, in writing, request the Member to attend; but should the Member refuse, the Committee shall take no further action, except to report the matter to the Council.

Neglect or
refusal to
attend.

432. The neglect or refusal of any Witness to attend in obedience to any such order or summons, or in obedience to a warrant of the President, shall be censured, or otherwise dealt with at the pleasure of the Council.

When
attendance of
Member or
Officer of
Assembly
desired.

433. When the attendance of a Member of the House of Assembly, or of any Officer of that House, is desired in order to be examined by the Council or any Committee thereof (not being a Committee on a Private Bill), a Message shall be sent to the House of Assembly to request that the House will give leave to such Member or Officer to attend, in order for the Member or Officer to be examined accordingly upon the matters stated in such Message.

WITNESSES

- 434.** Should the House of Assembly request by Message the attendance of a Member of the Council before that House or a Select Committee thereof, the Council may authorise such Member to attend if the Member thinks fit. The Council, if similarly requested by the House of Assembly, may also instruct its own Officers to attend as desired. Attendance of Members or Officers of Council desired by Assembly.
- 435.** When a Witness, whose attendance is desired, shall be in the custody of the keeper of any prison, such keeper shall be ordered to bring the Witness in safe custody, in order to the witness being examined, and from time to time, as often as the witness's attendance shall be thought necessary, and the President shall issue a warrant accordingly. When intended Witness is in prison.
- 436.** Witnesses cannot be examined upon Oath by the Council, or any Committee thereof, unless it be so provided by law. Witnesses not to be examined on Oath.
- 437.** All Witnesses examined before the Council, or any Committee thereof, are entitled to the protection of the Council in respect of anything that may be said by them in their evidence. Entitled to protection.
- 438.** When a Witness is being examined by the Council, or a Committee of the Whole, the Bar is drawn. Bar is to be kept drawn.
- 439.** When a Witness appears before the Council, the President shall examine the Witness, and any questions addressed by Members shall be asked through the President. Witnesses before Council examined by President.
- 440.** In Committee of the Whole Council, any Member may put questions directly to the Witness. Before Committee by any Member.
- 441.** If any question be objected to, or other matter arise, the Witness shall withdraw while the same is under discussion. Witness withdraws if question objected to.

WITNESSES

Member
examined in
the Member's
place.

442. A Member of the Council shall be examined in the Member's place.

Judges, how
introduced.

443. Judges are introduced by Black Rod and have chairs placed for them within the Bar.

Members
and Officers
not to give
evidence
without
leave.

444. No Member, Clerk or Officer of the Council, or *Hansard* reporter employed to take Minutes of Evidence before the Council or any Committee thereof, may give evidence elsewhere in respect of any proceedings of the Council or its Committee, or of any examination had at the Bar or before any Committee, without the special permission of the Council.

Before Select Committees see Orders Nos. 395, 396, 413.

STRANGERS

CHAPTER XXIX

STRANGERS

445. The President alone shall have the privilege of admitting Strangers, not being Members of the House of Assembly or of the Commonwealth Parliament, to the body of the Council Chamber, either within or without the Bar, while the Council or a Committee of the Whole is sitting.

Strangers
admitted
only by
President.

446. Members of the House of Assembly and of the Commonwealth Parliament shall have the privilege of admission, without order, to the body of the Council Chamber without the Bar.

Admission of
Members of
Assembly and of
Commonwealth
Parliament
without Bar.

447. If at any sitting of the Council, or in Committee, any Member shall take notice that Strangers are present, the President, or the Chairperson (as the case may be), shall forthwith put the question "That Strangers be ordered to withdraw" without permitting any discussion or amendment: Provided that the President, or the Chairperson, may, whenever the President or Chairperson thinks fit, order the withdrawal of Strangers from any or every part of the Chamber.

Strangers
ordered to
withdraw.

At Select Committees see Order No. 396.

Arrest for Misconduct see Order No. 216.

447a. An infant being breast or bottle fed by a Member shall be permitted to the body of the Council Chamber, either within or without the Bar, while the Council or a Committee of the Whole is sitting.

Infant being
breast or bottle
fed admitted.

PAPERS AND DOCUMENTS

CHAPTER XXX

PAPERS AND DOCUMENTS

Papers, etc.,
ordered.

448. Papers and Returns may be ordered to be laid before the Council, and the Clerk shall communicate all such orders of the Council.

See (*Priority to Motion*) Order No. 64.

Addresses
for Papers,
etc.

449. When any Paper is required by the Council which concerns the Royal Prerogative, or which is a Despatch or other Correspondence addressed to or emanating from the Governor, or when any information is desired from the Governor, an Address shall be presented to the Governor praying that the same may be laid before the Council.

See (*Addresses*) Orders Nos. 235, *sqq.*

When to be
presented.

450. Papers presented pursuant to Statute, or by Command of the Governor, or pursuant to an Order of the Council, may be laid on the Table without comment, at any time when other business is not before the Council.

No comment
allowed.

May be read
and printed.

451. On any Paper being laid before the Council, the printing thereof may be moved by a Minister of the Crown, and it shall be in order to move that it be read; and if necessary, a day may be appointed for its consideration.

Consideration.

Printing of Papers and Debate on Motion see Orders Nos. 418, 419, 180; and *Priority on Notice Paper* see Order No. 64.

Papers
quoted in
debate.

452. A Document quoted from in debate, if not of a confidential nature or such as should more properly be obtained by Address, may be called for at any time during the debate, and on Motion thereupon without Notice may be ordered to be laid upon the Table.

PAPERS AND DOCUMENTS

453. All Papers and Documents laid upon the Table of the Council shall be considered public. Papers not ordered to be printed may be inspected at the offices of the Council at any time by Members, and, unless otherwise ordered by the President, by other persons, and copies thereof or extracts therefrom may be made.

Papers when presented are public.

May be inspected and copied.

454. All Papers and other Documents ordered by the Council during the Session and not returned prior to the Prorogation, and such other official reports and returns as are customarily laid before Parliament and printed, shall be forwarded to the President in print as soon as completed; and, if the same are received within two months after such Prorogation, the Clerk shall cause such Papers and Documents to be distributed among Members and bound with the Minutes of the Proceedings; and as regards those not received within such time, they shall be laid upon the Table on the first day of the following Session, together with a Return prepared by the Clerk showing the Resolutions of the Council which have or have not been complied with. If any Orders for Returns made in the previous Session have not been complied with, a Return of such Orders shall be prepared by the Clerk and laid on the Table on the same day.

Returns after Prorogation.

455. Members of the House of Assembly shall be furnished with copies of all Papers printed by Order of the Council.

Council Papers to be furnished to Assembly.

Records, Custody of Papers, etc., see Orders Nos. 28-31.

Laid before Select Committees see Orders Nos. 398, 400.

CITIZENS RIGHT OF REPLY

CHAPTER XXXA

CITIZENS RIGHT OF REPLY

Citizens Right of
Reply

455A. The Council makes available to any person who believes that they have been adversely referred to during proceedings of the Legislative Council the following procedure for seeking to have a response incorporated into Hansard –

- I. Any person who has been referred to in the Legislative Council by name, or in another way so as to be readily identified, may make a submission in writing to the President -
 - (a) claiming that he or she has been adversely affected in reputation or in respect of dealings or associations with others, or injured in profession, occupation or trade or in the holding of an office, or in respect of any financial credit or other status or that his or her privacy has been unreasonably invaded; and
 - (b) requesting that his or her response be incorporated in to *Hansard*.
- II. The President shall consider the submission as soon as practicable.
- III. The President shall reject any submission that is not made within a reasonable time.
- IV. If the President has not rejected the submission under clause III, the President shall give notice of the submission to the Member who referred in the Council to the person who has made the submission.
- V. In considering the submission, the President -
 - (a) may confer with the person who made the submission;
 - (b) may confer with any Member;

CITIZENS RIGHT OF REPLY

- (c) must confer with the Member who referred in the Council to the person who has made the submission and provide to that Member a copy of any proposed response at least one clear sitting day prior to the publication of the response;
 - but
 - (d) may not take any evidence;
 - (e) may not judge the truth of any statement made in the Council or the submission.
- VI. If the President is of the opinion that -
- (a) the submission is trivial, frivolous, vexatious or offensive in character; or
 - (b) the submission is not made in good faith; or
 - (c) the submission has not been made within a reasonable time; or
 - (d) the submission misrepresents the statements made by the Member; or
 - (e) there is some other good reason not to grant the request to incorporate a response into *Hansard*.
- the President shall refuse the request and inform the person who made it of the President's decision.
- VII. The President shall not be obliged to inform the Council or any person of the reasons for any decision made pursuant to this resolution. The President's decision shall be final and no debate, reflection or vote shall be permitted in relation to the President's decision.
- VIII. Unless the President refuses the request on one or more of the grounds set out in paragraph V, the President shall report to the Council that in the President's opinion the response in terms agreed between him and the person making the request should be incorporated in to *Hansard* and the response shall thereupon be incorporated in to *Hansard*.
-

CODE OF CONDUCT FOR MEMBERS OF PARLIAMENT

CHAPTER XXXB

CODE OF CONDUCT FOR MEMBERS OF PARLIAMENT

Code of Conduct
for Members of
Parliament

455B. Members of the Council shall be subject to the following Code of Conduct:

Preamble

Members of Parliament are in a unique position of being accountable to the electorate. The electorate is the final arbiter of the conduct of Members of Parliament and has the right to dismiss them from office at elections.

Members of Parliament have a responsibility to maintain the public trust placed in them by performing their duties with fairness, honesty and integrity, subject to the laws of the State and rules of the Parliament, and using their influence to advance the common good of the people of South Australia.

The objective of this Code is to ensure that the responsibilities and obligations of Members reflect community expectations and community standards.

Political parties and political activities are a part of the democratic process. Participation in political parties and political activities is within the legitimate activities of Members of Parliament. In performing these activities, and their public duties, Members of Parliament should demonstrate the following values:

- a) Serving the public interest;
- b) Exercise reasonable care and diligence in performing their public duties;
- c) Submit themselves to the lawful scrutiny appropriate to their office;
- d) Behave with respect and courtesy in their relationships with all parliamentary staff and public servants;

CODE OF CONDUCT FOR MEMBERS OF PARLIAMENT

- e) Treat all persons with respect and have due regard for their opinions, beliefs, rights and responsibilities.
- f) Act with civility in their dealings with the public, Ministers and other Members of Parliament and the Public Service.

Members of Parliament must always be mindful of their responsibility to accord due respect to their right of freedom of speech within Parliament and not to misuse this right, consciously avoiding undeserved harm to any individual.

The preamble does not form part of the Code of Conduct.

Nothing in this Code of Conduct affects the privileges, immunities or powers of the Legislative Council or House of Assembly or their committees or members.

This Code of Conduct is a 'code of conduct' for the purposes of section 4(1) of the *Ombudsman Act 1972*.

The Code of Conduct

Conflicts of Interest

1. Members must avoid conflicts, or apparent conflicts, between their private interests and their official functions.

Members of Parliament must take reasonable steps to declare any conflict of interest between their private financial interests and decisions in which they participate in the execution of their duties. Members must declare their interests as required by the *Members of Parliament (Register of Interests) Act 1983*, and declare their interests when speaking on a matter in the House or a Committee in accordance with the Standing Orders.

A conflict of interest does not exist where the Member, their spouse or domestic partner, relative or associate, is only affected as a member of the public or a member of a broad class.

CODE OF CONDUCT FOR MEMBERS OF PARLIAMENT

Members of Parliament must not promote any matter, vote on any bill or resolution, or ask any question in the Parliament or its Committees, in return for any financial or pecuniary benefit.

Gifts

2. In accordance with the requirements of the *Members of Parliament (Register of Interests) Act 1983*, Members of Parliament must declare all gifts and benefits received in connection with their official duties, including contributions made to any fund for a Member's benefit.

Public Resources

3. Members of Parliament must apply the public resources with which they are provided for the purpose of carrying out their duties, in accordance with any guidelines or rules about the use of those resources.

Confidentiality

4. Members of Parliament must not knowingly and improperly use official information, which is not in the public domain, or information obtained in confidence in the course of their Parliamentary duties, for private benefit of themselves or others.

Standards of Behaviour

5. Members of Parliament must not harass, sexually harass, or discriminate against:
 - a. A member of their staff;
 - b. Another Member of Parliament;
 - c. A member of the staff of another Member of Parliament;
 - d. An officer or member of the staff of the Parliament;

CODE OF CONDUCT FOR MEMBERS OF
PARLIAMENT

- e. Any other person who in the course of employment performs duties at Parliament House.

Definitions

For the purposes of this Code —

- (a) a person *sexually harasses* another (the person harassed) if—
 - (i) the person makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to the person harassed; or
 - (ii) engages in other unwelcome conduct of a sexual nature in relation to the person harassed, in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated that the person harassed would be offended, humiliated or intimidated; and
- (b) conduct of a sexual nature includes making a statement of a sexual nature to a person, or in the presence of a person, whether the statement is made orally or in writing;
- (c) a person is harassed if, an individual or a group of individuals repeatedly behaves unreasonably towards the person, and the behaviour creates a risk to health and safety.
- (d) a person is discriminated against when they are treated less favourably than another person in the same or similar circumstances due to their attributes or characteristics, and includes unlawful discrimination under the Equal Opportunity Act 1984.

SUSPENSION, DURATION OF STANDING ORDERS

CHAPTER XXXI

SUSPENSION AND DURATION OF STANDING ORDERS

Suspension
of Standing
Orders on
Notice.

456. Any Standing or Sessional Order (except those which it is specially provided shall not be suspended) may be suspended on Motion after Notice.

See (*Exceptions*) Orders Nos. 124, 281, 282.

Suspension,
when urgent
necessity,
without
Notice.

457. In the case of urgent necessity, any Standing or Sessional Order (except those which it is specially provided shall not be suspended) may be suspended on Motion without Notice: Provided that such Motion has the concurrence of an absolute majority of the whole number of Members of the Council.

See (*Exceptions*) Orders Nos. 124, 281, 282.

Limit to
discussion.

458. The debate on a Motion for the Suspension of Standing Orders shall be limited to fifteen minutes and the Mover and subsequent speakers in the debate shall each be limited to five minutes in stating reasons for such Suspension.

Limit to
Suspension.

459. Such Suspension shall be limited in its operation to the particular purpose for which it has been sought and, unless it be otherwise ordered, to that day's sitting of the Council.

Limit to
time for
moving.

460. After the Orders of the Day have been called on, no Motion for Suspension, without Notice, shall be entertained until the consideration of such Orders is concluded, except it be for the purpose of expediting the progress of a Bill or otherwise facilitating the business of the Council.

Duration.

461. The whole of these Standing Orders shall continue in force until altered, amended, or repealed, by the Council with the approval of the Governor.

JOHN S.L. DAWKINS

President of the Legislative Council

CHRISTOPHER D. SCHWARZ

Clerk of the Legislative Council

JOINT COMMITTEES

Joint Standing Orders

Agreed to by Legislative Council, 6th and 22nd October, 1903 and by House of Assembly, 21st October, 1903, and approved by Governor, 30th October, 1903.

Amended 4th and 20th August and 1st September, 1914, and approved by Governor, 17th September, 1914.

Further amended 2nd and 15th October, 1924, and approved by Governor, 23rd October, 1924.

Further amended, 19th and 28th July, 1938, and approved by Governor, 11th August, 1938.

Further amended, 21st and 28th November, 1951, and approved by Governor, 17th January, 1952.

 JOINT COMMITTEES

1. Whenever either House desires the appointment of a Joint Committee, it shall inform the other House by Message of the object of such Committee; and of the number of Members and of the Quorum which it has appointed to serve thereon; and shall desire the concurrence of that House thereto.

Procedure
in the one
House.

2. The House whose concurrence is so desired shall, if it agrees to the appointment of the proposed Committee, notify its consent to the other House by Message, and name the number of the Quorum which it has appointed.

And in the
other House.

3. The number of Members appointed by each House shall be the same.

Members
from each
House to be
equal in
number.

4. Each House shall fix the Quorum of its Members necessary to be present at all sittings of the Committee; but, subject hereto, a Joint Committee may fix its own Quorum.

Quorum.

JOINT COMMITTEES - JOINT ADDRESSES

Power to
send for
persons, etc.

5. The Committee shall have power to send for persons, papers, and records, and shall report to the House with all due dispatch.

Chairperson to
vote; but no
decision in
case of tie.

6. The Chairperson of the Committee shall be entitled to vote upon every question, but when the votes are equal, the question shall pass in the negative.

Instructions.

7. Instructions to Joint Committees must have the concurrence of both Houses.

Report, how
presented.

8. The Report of the Committee shall be presented to each House in writing by Members nominated by the Committee for that purpose.

Legislative
Council
Standing
Orders to
apply.

9. The procedure of every Joint Committee shall, except where herein otherwise ordered, be regulated by the Standing Orders of the Legislative Council relating to Select Committees.

 JOINT ADDRESSES

Procedure.

10. Whenever either House desires that a Joint Address should be presented from both Houses, and a form of Address shall have been agreed to (a blank being left for the title of the other House), a Message shall be sent to the other House, transmitting the Address, and desiring its concurrence thereto.

How signed.

11. The Address, when finally agreed upon by both Houses, shall be signed by the President of the Legislative Council and by the Speaker of the House of Assembly.

JOINT ADDRESSES -
NUMBERING AND DATING OF ACTS

12. Joint Addresses to the Sovereign, to any Member of the Royal Family, and to either House of the Imperial or Commonwealth Parliament, shall be forwarded for presentation in such manner as shall be agreed upon between the President of the Legislative Council and the Speaker of the House of Assembly.

How presented to the Sovereign, etc.

13. Joint Addresses to the Governor, if presented in a body by both Houses, shall be read by the President of the Legislative Council, with the Speaker on the President's left hand; but if by a deputation of Members from both Houses, then by such Member of the deputation as shall be named by the President if the proposal for the Address originated in the Legislative Council, or by the Speaker if it originated in the House of Assembly.

How presented to Governor.

NUMBERING AND DATING OF ACTS

14. The Public Acts passed by the Legislature in each year shall be numbered in Arabic figures and in regular arithmetical series, commencing from the number one in each year, in the order in which the Governor shall have assented, or shall have signified the Sovereign's Assent thereto. All such Acts assented to by the Governor shall have the date of such Assent and the number of the year printed within a parenthesis immediately following the title, and, in cases where the Bills for such Acts have been reserved, shall bear both the date of such reservation and of the proclamation of the Royal Assent.

Acts to be numbered consecutively and dated.

Every Act shall bear as part of its Short Title the number of the year in which the Bill for that Act was introduced or, where the Bill for that Act was a lapsed Bill restored to the Notice Paper, then the year in which the Bill was so restored; and every Act shall be numbered as an Act of the year mentioned in its short title.

ELECTION OF SENATORS - BILLS NOT ASSENTED
TO - CONSOLIDATION BILLS

15. The Joint Standing Order of 1875, relating to the numbering of Acts, is hereby repealed.

ELECTION OF SENATORS

Procedure in case of Joint Sittings of the two Houses.

16. All Joint Sittings of the Legislative Council and House of Assembly held, pursuant to section 15 of the Commonwealth of Australia Constitution Act, for the election of a Senator, shall be summoned by the President of the Legislative Council, or, in the President's absence, by the Speaker of the House of Assembly, by not less than seven days' notice to the Members of the Council and of the House of Assembly, and shall be presided over by the said President, or, in the President's absence, by the Speaker, or, in the absence of both President and Speaker, by some other Member chosen by the Members of both Houses present to preside. The procedure of such Joint Sittings shall be that of the Legislative Council so far as applicable to the circumstances.

BILL NOT ASSENTED TO BEFORE PROROGATION

Bill not assented to lapses, but may be passed in next Session without delay.

17. If a Prorogation of Parliament takes place before the Governor shall have notified, to Parliament or by Proclamation, the Governor's assent to, or reservation of, any Bill which has been agreed to by both Houses during the Session then closed, such Bill having thereby lapsed, may, on being introduced in the next Session of the same Parliament in the originating House, be passed through all its stages in both Houses without delay.

CONSOLIDATION BILLS

Procedure on Consolidation Bills.

18. Every Bill for the consolidation of law shall, after its Second Reading in the originating House, be referred to a Joint Committee.

JOINT COMMITTEES ON CONSOLIDATION BILLS

The said Committee shall inquire whether the Bill makes any alteration in the law; and it shall be an Instruction to all such Committees that wherever it shall appear to them that any such alteration is made, they do amend the Bill in conformity with what they hold to be the law.

Duty of
Select
Committee.

If the Bill be reported without Amendment, the Report may be at once adopted, and the Bill may be read a Third Time without delay; but, if with Amendment, a time shall be fixed for the consideration of the Report.

Report.

Whenever the Bill is referred to a Committee of the Whole, its consideration therein shall be limited to Amendments made by the Joint Committee, and to any further Amendments which may seem to the Committee of the Whole necessary to determine the true interpretation of the law.

Committee of
the Whole.

The Bill, when transmitted by the originating House to the other, shall show by italic and erased type whatever Amendments may have been made thereto.

Transmission
to other
House.

J. L. STIRLING,
President of the Legislative Council

JENKIN COLES,
Speaker of the House of Assembly

INDEX

Index to the Standing Orders and the Joint Standing Orders

NOTE - Figures denote the numbers of the Orders and prefix J.S.O. refers to Joint Standing Orders.

A

ABSENCE AND ATTENDANCE OF MEMBERS, 32-36
when call of Council ordered, 37-43

ABSENCE OF -
Clerk, 27
Members, 32-43
President, 24-25
Quorum, 50, 53, 54

ABSOLUTE MAJORITY -
Constitution Bills, amending constitution of either House, 282
(Certificates required, 279, 321)
Rescinding of Resolutions of same Session, 159
Suspension of Standing or Sessional Orders without Notice, 457

ACCESS TO GOVERNOR - Right claimed by President on election, 23

ACKNOWLEDGEMENT OF COUNTRY AND TRADITIONAL OWNERS, 51
See also PRAYERS, 51

ACTS -
Act may be amended or repealed in same Session, 274
Copy signed by Governor deposited with Clerk, 350
Duration of temporary to be expressed in Bill, 273
Numbering and dating - J.S.O. 14

ADDRESSES -
To British Parliament - proposed, 235; transmission of, 238
To Commonwealth Parliament - proposed, 235; transmission of, 238
To Governor -
for papers, 449
Governor's reply to be reported, 241
in Reply to Opening Speech -
Committee nominated, 12
Report, consideration and presentation, 13
Joint Addresses, J.S.O's. 10-13
presentation of, 239, 240
proposed, 235
To Royal Family - proposed, 236; transmission through Governor, 237
To Sovereign -
proposed, 235; transmission through Governor, 237
when Parliament opened by, 15

INDEX

ADDRESSES OF MEMBERS to be kept by Clerk, 39

ADJOURNMENT OF COUNCIL -

By President -

if no Quorum at time of meeting, 50

if no Quorum after commencement of Business, 53, 54

in cases of very grave disorder, 213

By resolution, 58; form of Motion, 59

Business -

interrupted by - resumption of, 77, 374

lapsed, 73-75; revival of, 68

Names of Members present at, recorded, 56

Supersedes Questions, 122

To Irregular Time - Motion on Matters of urgent public importance, 116

When affected by public holiday, 57

See also SUSPENSION OF SITTINGS, ETC.

ADJOURNMENT OF DEBATE, 194-198

on President's Ruling, 205

on questions of Order or Privilege, 201

ADJOURNMENT OF SELECT COMMITTEES, 390, 391

ADMISSION OF -

Members of Assembly or of Commonwealth Parliament, 446

New Members within the Bar, 9

Strangers to -

body of Chamber, 445

Select Committees, 396

AFFIDAVITS not to be attached to Petitions, 88

AFFIRMATION made by new Members in lieu of Oath, 9

AFTER-SESSION PAPERS, 454

ALLUSION TO -

Committee speeches, etc., 190

Debates of same Session, 187

See also QUOTATION, 188, 189, 452

ALTERNATIVE AMENDMENTS TO BILLS - in lieu of, and relevant to others disagreed to, 334, 336

AMENDMENTS TO QUESTIONS, 130-143

Amendments to proposed Amendments, 141

Forms of, 130

Inserting or adding words, 136

Leaving out words, 134

Leaving out words, and inserting or adding others, 135

Must be -

relevant, 132

seconded, 133

written and signed, 131

Not permitted -

to prior part of question after later part amended, 137

to words already agreed to or inserted except by addition of words, 138

Proposed, may be withdrawn by mover, by leave, and may be again moved, 140

INDEX

Question -

- put as amended, 142
- put if amendment not made, 143
- superseded, 122

Reply not allowed to mover of, 176

Same Amendment in same Session, 139

See also PREVIOUS QUESTION, 144-152

AMENDMENTS TO BILLS - *See under* BILLS, *In Committee of Whole, and Amendments, Generally*

ANTICIPATION OF DEBATE by motion or speech, prohibited, 117, 185

APPROPRIATION BILLS -

Certificate by Clerk of Assembly as having been recommended by Governor during current Session, 277

Clauses appropriating public money to be in erased type if originating in Council, 278

ARREST -

- of Strangers for misconduct, 216
- to be reported without delay, 217

ASSEMBLY, HOUSE OF. *See* HOUSE OF ASSEMBLY

ASSENT TO BILLS -

Bill agreed to by both Houses not assented to or reserved prior to prorogation lapses, but may be revived and expedited in next Session of same Parliament, J.S.O. 17

Bills presented to Governor by President, 345, 348

Date of Assent printed on Act, J.S.O. 14

ATTENTION CALLED TO WANT OF QUORUM, 54, 182, 368

B

BALLOT-

Bells rung for two minutes before, 233

Members may demand, for election of -

- Conference Managers, 253
- Select Committees, 377, 381
- Standing Committees, 415

Not to be interrupted by six-thirty p.m. adjournment, 60

President elected by - when more than one Member proposed, 18-20

Procedure for, 233, 234

BAR OF COUNCIL -

Admittance -

Breast or bottle fed infants - within or without, 447a

Commonwealth Members without, 446

House of Assembly Members -

- within, at Opening of Parliament, 8
- without, 446

Judges as witnesses to have chairs within, 443

New Council Members within, 9

Strangers - within or without - only by President, 445,

Bills presented at by Members, 270

INDEX

- Drawn during* -
 Divisions, 223
 Examination of witnesses, 433
 Opening Speech of Governor, 8
 Prayers and Acknowledgement of Country and Traditional Owners, 51
 Member or person arrested brought to, 217
 Member under suspension ordered to attend at, 215
 Member within, when question put - compelled to vote in Divisions, 224
 Member must be within to vote, 226
 Messages from House of Assembly received at, 250
- BELLS TO BE RUNG FOR -
 Ballot, 233
 Council meeting, - prior to, 49
Count -
 of Council, 54
 of Committee, 368
 Divisions, 222
Quorum -
 in Council, 54
 in Committee, 368
- BILLS -
Definition, Initiation, Contents, Presentation to Council -
 Definition -
 Hybrid, 268
 Public, 267
 Initiation -
 Motion for -
 Committee not less than two to prepare and bring in, 269
 Leave, 269
 Order of Leave - Title to coincide with and clauses to be within
 Title, 272
 Restoration of Lapsed Bill, 346, 347, 174, J.S.O's. 14 and 17
 Presentation to Council at Bar of fair signed copy, 270
 Contents -
 Clauses to be within Title, 272
 Duration of temporary Acts to be specified, 273
 May amend or repeal Act of same Session, 274
 To be mutually relevant, 271
 Irregular Bills to be withdrawn (if not before Committee) and another
 may be forthwith substituted, 276
 Same subject - if two Bills with, 275
Appropriating Revenue -
 Bill or amendment appropriating Revenue must be certified by Clerk
 of Assembly as recommended by Governor during current Session,
 277
 Clauses in Council Bill containing appropriation, etc. to be in erased
 type and form no part of Bill, 278
Amending Constitution of either House -
 Assembly Bill for alteration of Constitution not proceeded with unless
 certified by Clerk of Assembly, 279
 Council Bill specially certified by Clerk, 321
 Requires absolute majority at Second and Third Readings, 282
Consolidation - Procedure, J.S.O. 18
Hybrid - 268, see also J.S.O. 2 on Private Bills
Lapsed Bill - restoration of, 346, 347, 174; J.S.O's 14 and 17

INDEX

- Readings* -
 Effect of negating second or third reading and of the six months' postponement, 281.
 Title only to be read, 280
- First Reading* -
 To be moved upon presentation by Member or on receipt from Assembly, 283
 Bill to be printed without delay, 284
 Date of second reading fixed, 285
- Second Reading* -
 Concurrence or non-concurrence of President in may be indicated, 231
 Date for fixed, 285
 Question for, 286
 Amendments to, 287
 Six months' amendment - how determined, 287
 Effect of negating, 281
 Constitution Bills, 282
See also Instructions
- Committal* -
 All Bills stand referred to Committee of Whole after second reading, 288
 (*Exceptions* 282, 268, J.S.O. 18)
 Instructions - time for moving, 288, 352, 426
 Recommittal, 307, 313
 After report by Chairperson, Bill may not be referred to Select Committee, 289
- In Committee of the Whole* -
 Amendments -
 Decisions on, not to be reviewed until after recommittal, 295
 Drafting and printing errors, 324-326
 Formal or verbal, 326
 Must be relevant or pursuant to Instruction, 293
 Must not -
 be contradictory to or inconsistent with previous decisions until after recommittal, 295
 reverse principle of Bill as affirmed on Second Reading, 294 (on reconsideration) be proposed to words previously amended or proposed to be amended (unless proposed amendment was withdrawn), 300
 Printing and drafting errors, 324, 326
 Title to be amended to agree with Amendments and to be specially reported, 293
 Verbal or formal errors, 326
See in Select Committees - Committees, Select, on Bills.
- Bill not reprinted until after Report without Order, 301
 Bill to be signed, 304
- Chairperson to -
 date and sign new clauses, 304
 hand Bill to Clerk, 304
 read clause numbers and marginals, 291
 report, 303, 304
 write in Amendments, 304
- Clauses* -
 Erased type - those in, not to be put, 298
 Numbers and marginals read, 291
 Order of consideration and reconsideration, 290
 Postponement of (if unamended), 297
 Put as amended, 290
 Reconsideration of, 300, 290

INDEX

- Debate to be confined to question immediately before Committee, 299
- Enacting words not to be put except under Instruction, 292
- Leave to sit again, 302
- Order of consideration and reconsideration, 290: exception in Select Committees, 305
- Progress -
 - Motion to Report moved without discussion and immediately determined, 371
 - Report of and leave to sit again, 302
- Questions put - on each clause 291, and if amended, 296
- Reconsideration -
 - Amendments restricted on, 300
 - New Clauses to be specified, 300
- Reports -
 - Order, 373
 - Progress, 302
 - Quorum - want of, 373
 - When proceedings concluded, 303, 304, 373
- Reconsideration, 300
- Report* -
 - Adoption of, 306: amended Bills to be reprinted, 306, 311
 - After adoption, Third Reading fixed for future day, 309 (exception J.S.O. 18)
 - Recommittal on motion for adoption, 307 - number and nature of any proposed new clauses to be indicated, 308
 - Recommittal on motion for adoption of Bill from Select Committee, 310
 - Time for adoption of, 306
- Third Reading and Passing* -
 - Amendments to question for Third Reading, 312, 281
 - Assembly Bill with suggested amendments - questions for third reading and passing proposed as one, 341
 - Chairperson to certify fair print, 314
 - Concurrence or non-concurrence in may be indicated by President, 231
 - Consolidation Bills reported by Select Committee without amendment may be read third time without delay, J.S.O. 18
 - Passing - Question for, put without debate, 315; exception *re* Title, 315
 - President to announce certification before Third Reading, 314
 - Question for Third Reading, 312; effect of negating, 281
 - Question for passing put without debate, 315
 - Recommittal -
 - before question for Third Reading put, 313
 - when Bill amended on, 313
 - when Bill not amended on, 313
 - motion for, to specify any new clauses, 313
 - Title may be amended after Third Reading and before Passing, 315
- Transmission*
 - Assembly Bills when passed by Council to be returned, 317
 - Council Bills when passed transmitted with Message, 316
- Withdrawal* -
 - Bills on same subject, 275
 - Bills ordered to be read a second or third time this day six months, 281
 - Bills reported by Select Committee - notice of withdrawal, 310
- Laid Aside* - 333, 334, 336, 338, 341
- Certificates by Clerk*, 318-323, 345, 349 - Constitution Bill, 321
- See also* CLERK OF THE HOUSE OF ASSEMBLY

INDEX

Amendments - Generally -

Drafting, 324
 Formal, 325
 Printing, 324
 Verbal, 326

See also above IN COMMITTEE OF THE WHOLE

Between the Houses -

Agreement to be communicated by Message, 330
 Clerk to certify, 322
 Clerk to sign schedules of amendments, 339
 Dealt with in Committee of Whole or postponed and printed, 327
 Disagreement to be communicated by Message and Bill returned,
 331
 Further amendments to be scheduled and concurrence sought,
 332
 Further proceedings -
 on Council Bills, 333-335
 on Assembly Bills, 336-337
 Must be relevant, 328
 Not permissible to words already agreed to by both Houses with
 exceptions, 329
see CONFERENCES
 Suggested Amendments to Money Bills - procedure, 341

Governor's Amendments -

Assembly amendments to - how dealt with, 343
 If agreed to, to be forwarded to Assembly, 343
 If received from Assembly - how to be treated, 344
 To be treated and considered in same manner as amendments by
 Assembly, 342
 When agreed to or disagreed to - procedure, 345

Revival -

in next Session of same Parliament, 346, 347 - Bills passed but not
 assented to J.S.O. 17
 in same Session -
 admissible when Second or Third Reading negated, 281
 inadmissible -
 if deferred for six months, 281
 if Constitution Bill not carried by absolute majority, 282 or
 if Money Bill on which no agreement after Conference, 341

BILLS, PRIVATE -

Petitions for may have documents attached, 88

See also JOINT STANDING ORDERS (*Private Bills*)

BLACK ROD -

Acts under President's Orders in cases of non-withdrawal of suspended
 Members, 212

Announces -

Commissioners, 7
 Governor, 6
 Messenger from Governor, 242

Definition, 3

Delivers into custody Strangers by direction of President, 216
 Delivers Messages of Governor or Commissioners to Assembly, 8
 Informs Select Committees when President about to take Chair, 392
 Introduces Judges, 443

INDEX

BUSINESS OF THE COUNCIL -

- Business not called on to be set down for next sitting day, 74
- Business not to be anticipated in motion of urgency, 117
- Business not to be anticipated in Speech, 185
- Business for day over which Council adjourns, 75
- Business suspended* -
 - by Conferences, 254
 - by Messages from Governor, 242
 - by Questions of Order or Privilege, 201
- Conference - business suspended by, 254; resumption of, 76
- Debate on President's Ruling - first Order of Day for next day, 205
- In Committee - same rules apply as in Council, 356
- Member in charge when business called on to have possession of House, 166
- Minister may move to alter order without notice, 78, 65
- Notices of Motion called on and not moved, lapse, 72
- Order and Privilege - Questions of - temporarily suspend consideration of every other question, 201
- Orders regulating* -
 - Notice Paper, 14, 62-66
 - Precedence of, 14, 70
 - Routine, 67
- Orders of the Day* -
 - Called on, 69
 - Definition, 153
 - Discharge of, 68
 - Disposed of in order of rotation, 70
 - Government on Wednesdays - postponed to Private Business, 70
 - Lapsed, 73
 - Postponement, discharge or revival of, 68
 - President's Ruling - adjourned debate on, to be first Order of Day for next day of sitting, 205
 - Read and not disposed of, lapse but may be revived, 73
 - Revival of, 68
 - Seconder not required, 154
 - Time for calling on, 69
- Ordinary routine, 67
- Possession of House, Member in charge of business to have, 166
- Precedence of business, 64, 70
- Privilege - Question of suspends consideration of every other Question, 201
- Resumption of* -
 - Notice of Motion interrupted by Orders of the Day, 71
 - Other interrupted business, 76
- Suspension of, when Messenger from Governor announced, 242
- Questions relating to, 107

C

CALL OF THE COUNCIL - Orders regulating, 37-43

CANDIDATES FOR OFFICE OF PRESIDENT, Orders relating to, 18-20

CASTING VOICE -

- Chairperson of Committees has, 361
- President has, 231 (*See also* Concurrence or Non-concurrence)

CENSURE OF DISORDER - 208-218

- in Committee, disorder in can only be censured by Council, 357

INDEX

CERTIFICATES OF -

- Chairperson on Bills, 314
- Clerk of the House of Assembly on Bills -*
 - Appropriating Revenue, 277
 - Constitution, 279
- Clerk of the Legislative Council -*
 - on Bills for Assent, 345, 349
 - on Bills - Stages of, 318-323
 - on Petitions, 79
 - Constitution Bills, 321
- President on Bills for Assent, 349, 345
- Select Committee Chairperson on accounts, 413

CHAIR -

- Disregard of authority of, 208
- Member not to pass between Member speaking and Chair, 164
- Member to address President, 167
- Obeisance to on entering and leaving Chamber, 163
- President-elect conducted to, 17-19
- President -*
 - leaves Chair when Council goes into Committee, 288, 352
 - resumes Chair at conclusion of Committee, 373
 - resumes Chair in cases of grave disorder, 358
 - takes Chair at time of meeting, 50
 - takes Chair on right of Governor, 6

CHAIRPERSON OF COMMITTEES -

- Casting vote only and any reasons for to be recorded, 361
- Directs Member to discontinue irrelevant speech, etc., 367
- Disorder in Committee punishable only by Council on report by, 357
- Duties Regarding Bills -*
 - After report on, Bill cannot be referred to Select Committee, 289
 - Certifies fair print before Third Reading, 314
 - Confines debate to Question immediately before Chair, 299
 - Hands Bill to Clerk on Report, 304
 - Not to put - clauses printed in erased type, 298
 - Not to put - enacting words except under Instruction, 292
 - Reads numbers and marginals and puts clauses and schedules, 291
 - Reports Bill when proceedings concluded without question put, 303, 373
 - Reports progress, etc., 302
 - Signs Bill and hands to Clerk on Report, 304
 - Writes in amendments, dates and initials new clauses, 304
- Excused from sitting on Select Committees, 378
- Grave Disorder to be reported to President by, 358
- Leaves Chair without Question put in certain cases, 373
- Maintains Order in Committee, 357
- Moved out of Chair, 372
- Objection to ruling of, to be taken at once, in writing and reported to President, 360
- Orders withdrawal of Strangers, 447
- President to act as, 353
- Reasons for Casting Vote to be recorded, 361
- Reports -*
 - disorder in Committee, 209, 357
 - objectionable words if not satisfied with explanation, 209, 359
 - progress and resolutions, 370
 - want of Quorum in Committee, 53, 368, 369
- Rulings - objection to, 360
- Quorum - want of in Committee reported by, 53, 368, 369

INDEX

- CHAIRPERSON OF COUNCIL - Clerk acts as, before election of President, 21
- CHAIRPERSON OF JOINT COMMITTEE - Has Deliberative Vote only, J.S.O. 6
- CHAIRPERSON OF SELECT COMMITTEE -
- Absence of, 388
 - Brings up Report, 409
 - Calls on Members in order of sitting to continue examination of witnesses, 395
 - Certifies accounts for payment, 413
 - Deliberative vote only, 389
 - Election, 387, 388, 378
 - Endorses documents, 400
 - Examines witnesses, 395
 - Prepares draft Report, 401
 - Presents draft Report for consideration and puts question on each paragraph, page or section, 402, 403
 - Records divisions, 393
 - Signs Report, 407
 - Quorum - proceedings when lack of, 390
- CHARGE AGAINST A MEMBER -
- Arising in Committee, to be reported to Council by Committee, 399
 - Member charged withdraws after explanation, 214
 - On substantive Motion after Notice, 193, 214
 - When Orders of Council disobeyed, 215
- CHIEF SECRETARY, THE - Orders for Returns communicated to, 448.
- CITIZEN'S RIGHT OF REPLY, 455a
- CLERICAL ERRORS - *See* ERRORS
- CLERK-ASSISTANT - Receives Messages from House of Assembly at Bar, 250
- CLERK OF THE HOUSE OF ASSEMBLY -
- Certifies Bills altering Constitution, 279
 - Certifies Bills appropriating Revenue, etc., 277
- CLERK OF THE LEGISLATIVE COUNCIL -
- Absence of, 27
 - Acts as Chairperson of Council before election of President, 21
 - Acts - keeps signed copies of, 350
 - Addresses of Members - keeps, 39
 - After-Session Papers distributed by and return prepared by, 454
 - Ballot Slips initialled by and assists in taking ballot, 234
 - Business of the Day - calls on, 68
 - Call of Council - duties in connection with, 38-42
 - Certifies* -
 - Bills altering Constitution, 321
 - Bills for Assent, 349, 345
 - Bills at various stages, 318-323
 - Petitions, 79
 - Definition, 3
 - Delivers Messages to House of Assembly, 249
 - Deputy-President's election - puts question for, 24
 - Determines by lot election of President if votes twice equal, 20
 - Division lists entered in Minutes by, 232
 - Documents and Papers in custody of, 31, 400
 - Evidence not to be given by, without leave of Council, 444, 434

INDEX

- Keeps Members' Roll, 28
- Keeps Members' Attendances in Minutes, 30
- Minutes - keeps and signs, 29
- Notices, irrelevant, divided by order of President by, 105
- Notice Paper prepared by, 62
- Orders of Day called on and read by, 69, 70
- Papers and Returns ordered to be communicated, 448
- Prepares Notice Paper, 62
- Reads* -
 - Commission of Governor's Commissioners, 7
 - Petitions, 95
 - Proclamation convening Parliament, 5
 - Question during Debate, 184
- Receives* -
 - Committee Bill from Chairperson on Report, 304
 - Copy of every Act assented to and signed by Governor, 350
- Reports* -
 - Absence of President, 24
 - Vacancy in Office of President during Session, 26
- Rings bells for Divisions, 222
- Select Committee duties* -
 - Convenes next meeting when no Quorum, 390
 - First meeting called by in certain circumstances, 385
 - Witnesses summoned by, 429
- Signs Schedules of Amendments, 339, 340
- Summonses* -
 - First meeting of Select Committee in certain circumstances, 385
 - Witnesses before Select Committees, 429
- Takes down words in debate when directed by President, 207
- Witnesses before Select Committees* -
 - Paid by, on Certificate of Chairperson, 413
 - Summoned by, 429

CLOSURE OF DEBATE

- Motion "That the Question be now put", 127
 - (*and in Committee, 371*)
 - If carried, Questions pending may also be put, 128
 - Restrictions, 127

CODE OF CONDUCT FOR MEMBERS OF PARLIAMENT -

- Confidentiality, 455b
- Conflicts of Interest, 455b
- Definitions, 455b
- Gifts, 455b
- Preamble, 455b (*not part of Code of Conduct*)
- Public Resources, 455b
- Standards of Behaviour, 455b

COMMISSIONERS REPRESENTING THE GOVERNOR -

- Commission read by Clerk, 7
- How introduced, 7
- Require attendance of House of Assembly, 8

COMMITMENT - of Members or other persons, 217

COMMITTEE TO PREPARE BILLS - Nominated (not less than two), 269

INDEX

- COMMITTEE ON ADDRESS IN REPLY - Appointment of, by nomination, 12
- COMMITTEE OF PRIVILEGE -
 Questions of Privilege, not arising between Houses, to be referred to, if
 Minister so claims or Council so resolves, 202
- COMMITTEES - Tabling of Reports, 67
- COMMITTEES, JOINT, 416; J.S.O's. Nos. 1-9, 18.
- COMMITTEES OF HOUSE OF ASSEMBLY - Attendance of Member or Officer of
 Legislative Council requested by Message, 434
- COMMITTEE OF THE WHOLE COUNCIL -
 Appointment of, 351
Chairperson leaves the Chair -
 and reports Progress and asks leave to sit again, 370, 371
 and reports Resolutions when business concluded, 370
 and reports want of Quorum, 368, 369
 when Message from Governor arrives, 373
 when time for Conference arrives, 373
 Chairperson's duties - *see* CHAIRPERSON OF COMMITTEES
 Chairperson's Ruling - objection to, 360
 Consideration permitted only on such matters as are referred, 355
 Debate, divisions, Order and General Procedure as in Council, with
 exceptions, 356
 Debate to be confined to question immediately before Committee, 366
 Debate - continued irrelevance and prolixity in, punished, 367
 Decisions not to be reviewed until after recommitment, 364
Disorder - *see also* DISORDER
 grave - in case of, Council resumes and report made, 358
 reported by Chairperson and punished only by Council, 357
 Division - no decision on if quorum not present, 369
 Interrupted business - resumption of, 372-374
 Irrelevance - continued - punished, 367
 Members may speak more than once in, 366
Motions -
 That Question be now put, 371
 That Chairperson report progress, 371
 That Chairperson do now leave Chair, 371 - supersedes question, 372
 Objectionable words not withdrawn or explained reported to Council, 359
 Objection to Chairperson's Ruling, 360
 Order maintained by Chairperson, 357
 Personal Interest - question of determined by Committee, 362
 Personal Explanation - by indulgence, 187
 President leaves Chair without question put when Order made or read, except
 where notice of Instruction given, 352
 Previous Question not admissible, 365
 Proceedings of, not to be referred to in House until reported or published, 190
 Quorum - ten Members including Chairperson, 354
 Quorum - want of - to be reported, 368, 369
 Report brought up and received without question put, 375
 Report - how dealt with, 376
 Review of decisions not permitted until after recommitment, 364
 Seconding of Motions not necessary, 363
 Speeches in Committee not to be alluded to in House except by indulgence
 for personal explanation, 187
See also INSTRUCTIONS

INDEX

COMMITTEES ON BILLS -

See BILLS - *In Committee of the Whole and Committees, Select - On Bills*

COMMITTEES, SELECT -

Appointment -

Committee to consist of five nominated Members unless ballot demanded, 377

Lists of, posted in Lobby and Clerk's Office, 420

Members -

may be discharged and others appointed, 380

question of Pecuniary Interest determined by Committee, 379

to be discharged, to be named on Notice of Motion, and

substitute, to be balloted for, 381; with Pecuniary Interest, may not sit, 379

Meetings -

Adjournment of, 391

Black Rod to advise when President about to take Chair, 392

Chairperson -

Divisions recorded by, 393

Election of, 387, and of Acting Chairperson, 388

Divisions, 394; obligation to vote, 394

Documents to be endorsed and in custody of Clerk, 400

During Council sittings - require special permission, 391

First meeting, 385

Order of Reference - only matters within to be considered, 397

Proceedings, null and void after Black Rod's announcement, 392

Quorum - absence of, 390

Quorum to consist of three Members or as specially ordered, 386

Suspension of business when President about to take Chair, 392

Witnesses -

Chairperson to certify accounts for expenses, 413

Charges against Member, 399

Clerk to summon, 429

Documents not to be disclosed, 398

Documents to be endorsed and in custody of Clerk, 400

Evidence not to be disclosed, 398

Examination of, 395

Members as, 431

Payment of, 413

Power to send for persons, papers and records, 384

Strangers -

Admission to examination, 396

Exclusion of, 396

Report -

Amendment of, 405, 406

Chairperson to sign, 407

Committee brought to close by final Report, 412; revival, 412

Consideration of draft Report, 401-403

Date for bringing up, 382, 408

Drafted by Chairperson, printed and circulated to Committee, 401

Drafted by another Member, 404

Dissent in Report, 405

Meeting specially called to consider, 402

No debate on presentation to Council, 410

Notice not to be taken of proceedings until reported, 190

Order of Reference - only matters to be considered, 397

Presented to Council, 409 - subsequent proceedings on Notice, 411

Progress, 383

Protest in Report, 405

Reconsideration of draft Report, 406

INDEX

- Revival of Committee after final Report, 412
 - Time for bringing up Report, 408
 - Conference with similar Committee of House of Assembly -*
 - By Leave or Order of Council, 263 - *see also* 416
 - Communicated by Message to Assembly, 264
 - Communications at, may be verbal, 265
 - Report of, 266, 416
 - Instructions to*, 427-428
 - Provisions relating to Bills referred to -*
 - Consolidation, J.S.O. 18
 - Hybrid, 268
 - Procedure on, in Committee, 305; J.S.O. 18
 - Recommittal to same or other Committee or Committee of Whole, 310
 - Reported Bills not to be referred to, 289
 - Reprinted if amended, 311
 - Withdrawal of Bill on Report - Notice of Motion for, 310
- COMMITTEES, STANDING - including STANDING ORDERS and PRINTING
- Appointment of -*
 - Time for, 11, 414
 - Method, 415
 - Powers, 416
 - Quorum, 417
 - Message advising appointment to be sent to Assembly, 414
 - Printing Committee -*
 - Reports on all Petitions and Papers not printed or so ordered, 418
 - Report may be at once adopted but details not to be then discussed, 419
- COMMONS, HOUSE OF - Observance of rules of, where not otherwise provided, 1
- COMMONWEALTH PARLIAMENT -
- Addresses to, 235, 238
 - Members of admitted to Chamber without the Bar, 446
 - Not to be injuriously reflected upon, 193
 - See also under* JOINT ADDRESSES, J.S.O.'s. Nos. 10-12, ELECTION OF SENATORS, J.S.O. 16
- COMMUNICATION WITH THE GOVERNOR - Right of free, claimed, 23
- COMMUNICATION WITH THE HOUSE OF ASSEMBLY - Shall be by Message, Conference of Committee conferring, 247
- See also* Messages, 248-250; Conferences, 251, 257, 259; Committees, 263-266, 416
- COMPANIES - Bill affecting interests of, 268
- COMPLICATED QUESTIONS - May be divided by President, 125.
- CONCURRENCE OR NON-CONCURRENCE OF PRESIDENT - May be indicated on Second and Third Readings of Bills, 231
- CONCURRENCE OF ASSEMBLY - Council Bills and amendments sent to House of Assembly with Message desiring, 316, 317, 332
- CONDUCT OF MEMBERS IN CHAMBER - Orders regulating, 161-165; and in Debate, 166-207

INDEX

- CONFERENCE BY SELECT COMMITTEE -
 Orders regulating, 263-266
 Standing Committees may confer with similar Assembly Committees, 416
See also JOINT COMMITTEES, J.S.O's. Nos. 1-9.
- CONFERENCES BETWEEN THE HOUSES -
 All Conferences to be free, 260
 Business of House and Committee shall be suspended during, 254, 373
 By whom requested, 255
 Communication of Resolutions by Managers to be in writing, 259
 May be held during adjournment of Council, 254
Managers -
 duties of, 258, 260, 341
 nominated, but may be elected by ballot if demanded, 253
 number of, to be same as for Assembly but, unless otherwise ordered,
 not less than five, 252, 256
 Object to be stated, 252
On Amendments to Bills -
 Managers' duties at, 260, 261, 338, 341
 When to be requested, 334; on Money Bills, 341
 One only permitted on any one matter, 262
 Orders regulating, 251-262
 Proceedings at, 260
 Requested by Message, 251
 Result to be reported in writing forthwith or as ordered, 261
 Time and place of, 257
- CONSOLIDATION OF TWO OR MORE BILLS, 275, 424
- CONSOLIDATION BILLS - How dealt with, J.S.O. 18
- CONSTITUTION BILLS -
 Assembly Bill to be certified by Clerk of Assembly as to absolute majority,
 279
 Clerk's Certificate on Bills, 321
 Proceedings on Second and Third Readings of, 282
- CONVERSING ALOUD - Not permitted during debate, 181
- CORPORATIONS -
 Bills affecting interests of one or more Municipalities, 268
 Petitions from, to be under Seal, 87
- COUNCIL, LEGISLATIVE -
Adjournment of -
 by President, 50, 53, 213
 by Resolution, 58, 59
 to irregular time (Urgency Motion), 116
 Call of, 37-43
 Days of meeting, 48
 Definition of Council, 3
Members -
 absence and attendance, 32-36
 conduct, 161-165, 167, 243
 not to be reflected on, 193
 places of, 44-47
 roll of, 28
 Powers not restricted by Standing Orders, 2
 Prevents quarrels between, 218

INDEX

Rights claimed by President after election, 23
Suspension of sittings of -
 at half past six o'clock, 60
 during Conference, 254
 Minister may move at any time for, 61
 President may suspend when grave disorder, 213
 Votes of not to be reflected upon, 192

COUNT OUT - *See* QUORUM

COUNTING OF COUNCIL, 54, 282

COURT OF DISPUTED RETURNS - *See* Electoral Act s.103

COURTS OF LAW - *See* EVIDENCE AND REFLECTIONS, INJURIOUS

CROWN, MINISTER OF THE - *See* MINISTER OF THE CROWN

CROWN OR WASTE LANDS - Bills granting, to persons or bodies, 268

CROWN SOLICITOR - Certificate of J.S.O. 29

CUSTODY -

Persons may only be discharged from, by Order, payment of fine, or Prorogation, 217

Strangers in Chamber and disorderly persons may be delivered into, 216
 Witness in custody, 435

CUSTODY OF DOCUMENTS - *See* DOCUMENTS

D

DAYS OF MEETING - Appointed, 48

DEBATE -

Rules, forms and practice of House of Commons adopted in cases not otherwise provided for, 1

Adjournment of -

Member speaking to Question not to move, but by leave may conclude speech at future time, 197

Member in charge of Bill or other matter may move motion again within 15 minutes of previous motion, 195

Motion for, 195

if carried, preaudience for Member moving, 198

if negatived, mover and seconder may speak, 195

On Question of Order or Privilege not entitled to precedence, 201

On President's Ruling to be first Order of Day for next sitting day, 205

Resumption date to be fixed, but not beyond Session except after Notice, 196

Restriction on further Motions for, 195

To later hour or future day, 194

In Committee -

Debate confined to question immediately before Chair, 299, 366

Irrelevance, etc., 367

Practice, same as in Council observed except as to number of speeches, seconding of Motions and Previous Question, 356

Interrupted Debate - How resumed, 71, 76, 77, 128

See also RESUMPTION OF INTERRUPTED BUSINESS

INDEX

- Limit to Debate - On Suspension of Standing Orders, 458
See also fixing day for an adjourned Debate, 196
- No Debate on certain matters* -
 Adjournment of Council, 59
 Adjournment of Debate, 195
 Arranging business at 6.30 p.m., 60
- Bills -
 First Reading of, 283
 passing of, 315
 revival of Lapsed Bills, 346
- Closure, 127
- In Committee -
 closure, 371
 reporting Progress, 371
 that Chairperson leave Chair, 371
- Personal explanation, 173
- Postponement, discharge and revival of Orders of Day, 68
 Printing Paper (at time of presentation) except Ministerial Statement, 180
- Privilege - reference of questions of, to Committee, 202
- Strangers - withdrawal of, 447
- Suspension of Member, 210
 See also On presentation of Petitions, Reports and Papers, 95; 310, 410; 419; 450
- Right and Manner of Speech* -
 Debate allowed on Ministerial Statement, 180
 Explanation, personal -
 in debate, when misquoted or misunderstood, 175
 right of second speech for, 174
 when no Question before Chair, 173
- Indulgence to infirm Members, 168
- Interjections out of Order, 181
- Interruptions not allowed, 175, 195, 127, 59; exceptions, 182
- Member -
 not to speak after Question completely put, 183
 rising but not speaking, 172
 to resume seat when President rises, 161
 to rise and address President, 167
- Members - two or more rising - President to name one, 169
- Order - right of second speech upon Question of, 174
- Place of speaking, 167
- Possession of Chair - Member in - not to be interrupted, 175; exceptions, 182
- Paper - Motion without Notice by Minister for printing, 180
- Reply allowed, 176 (exceptions: amendments, Previous Question, Instructions)
- Reply - right of when motion moved by Member other than one giving notice, 177
 Reply closes debate, 178
 Right of Member, in charge of business, to speak, 166
- Second speech not allowed, except in explanation or reply or on Question of Order or Privilege, 174
 Second speech allowed on Restored Bill, 174
 Secunder may reserve speech, 179
 Speech not to be read, 170
 Questions on which Member may speak, 171
 See also CONDUCT OF MEMBERS, 161-165. ORDER AND PRIVILEGE, 199-207

INDEX

Subject Matter of Speech -

- Committee speeches not to be referred to, 187
- Debates of same Session not to be alluded to, 187
- Documents regarding debates of same Session in Council not to be read, 189
- Governor's name not to be used irreverently or to influence debate, 191
- Hansard may be read concerning Council debates of same Session, 189
- Injurious reflections not permitted, with exceptions, 192, 193
- Irrelevance, prolixity or tedious repetition, 186, 367
- Member not to digress, 185, 299, 366
- Member not to anticipate debate, 185
- Newspaper extracts relating to Council debates during same Session not to be read, 189
- Other debates of same Session or speeches in Committee - reference to not permitted except by indulgence for explanation, 187
- Other House -
 - quotation from debates of, in current Session, 188
 - measure pending in - comment not permitted, 188
 - Personal Explanation - references permitted, 187
 - Persistent irrelevance and prolixity, 186, 367
 - Question read by Clerk, 184
- Quotations from debates of current Session in other House must be relevant, 188
- Reference to proceedings in Committee before Report not permitted, 190
- Reflections -
 - on Government, Commonwealth, Members, Judges, Courts, 193
 - on vote of Council or Statute, 192
- Same Session debates -
 - in Assembly permitted to be quoted if relevant, 188
 - in Council - only Hansard to be read, 189
 - in Council allusions limited to Bill or Question under discussion, 187
- Sovereign's name not to be used irreverently or to influence debate, 191

DEFINITIONS -

- Bills, Hybrid, 268
- Bills, Public, 267
- Interest, Personal, 225, 379
- Parliament, and stage, 347
- Terms used in Standing Orders, 3

DEPUTATION OF MEMBERS - for Presentation of Addresses to Governor -

- Addresses generally, 239, 241
- Address in Reply, 22, 23
- Joint Addresses, J.S.O. 13

DEPUTY CLERK - Acts as Clerk in case of absence or illness of latter, 27

DEPUTY PRESIDENT -

- Appointment of, 24, 25
- Authority limited as to time, 24

DESPATCHES - Address for production of, 449

DILATORY MOTIONS -

- Adjournment of Council, 59
- Chairperson to leave Chair, 371
- Debate, 195

INDEX

- DISCHARGED -
 Orders of the Day and Orders of the Council may be read and be, 68, 155, 156, 160
 Prisoners discharged, 217
- DISORDER -
 Arrests to be reported without delay and time fixed for further proceedings, 217
 Charge against Member only made on substantive motion after notice - procedure, 214
 Commitment quashed by Prorogation, 217
 Disorderly conduct stated, 208
 Grave - in cases of, President may adjourn Council or suspend sitting, 213
In Committee -
 in cases of grave disorder Chairperson leaves Chair and reports, 358
 only punishable by Council on Report, 357
 Member wilfully disobeying Order of Council, 215
 President names Member and reports offence to Council, 208 and similarly on Report of Chairperson of Committees, 209
 Quarrels between Members prevented by Council, 218
 Suspended Member to withdraw from precincts, 212
 Suspension moved without debate, 210
 Suspension, periods of, 211
 Strangers, when disorderly, delivered into custody by Black Rod by direction of President, 216
- DISSENTS - May be added to Select Committee Reports, 405
- DISSENTIENT VOICE - "Leave of Council" must be without, 3
See also UNANIMOUS
- DISTRICT COUNCILS - Bill affecting interests of, 268
- DISTURBANCE - In debate not allowed, 181
- DIVISIONS, 219-232 -
 All present qualified to vote must vote, 224
 Call for may be withdrawn, by leave, 221
 Casting Vote of President - and Reasons for, 231
 Concurrence or Non-concurrence of President on second or third readings of bills, 231
 Confusion in or errors, 229
 Division bells rung, doors locked, and Bar drawn for, 222
 Errors in, 229, 230
 If only one voice given on either side, 219, 228
 Interested Member's vote disallowed, 225
 Interruption of not permitted, 60
 Lists recorded, 232; mistakes corrected on order of President, 230
 Member calling for shall not leave Chamber and to vote with declared minority, 220
 Member not to vote unless within Bar when question put, 226
 Mistakes corrected in Journals by order of President, 230
 No decision if want of Quorum disclosed, 53
 Point of Order during, may be raised only by member seated and covered and by permission of President, 200; objection to ruling, 206
 Procedure for, 222
 Question put and Members divide, 223
 Vote of Interested Member disallowed - definition, 225

INDEX

- In Committee of the Whole* -
 Chairperson has casting voice only, 361
 conducted as in Council, 356
 doors locked, 394
- In Select Committees* -
 Chairperson -
 to have deliberative vote only, 389
 to record, 393
See also JOINT COMMITTEES, J.S.O. 6

- DOCUMENTS -
 After Session, 454
 Custody of, to be with Clerk, 31, 400
 Not to be attached to Petitions except in case of Private Bills, 88
 Presented to Select Committees not to be published without leave, before
 Report, 398
 Quoted from in debate, 452

DOORS - Locked during Divisions, 222, 394

- DURATION -
 of Standing Orders, 461
 of Temporary Acts, 273

DUTY - *See* TAX, etc., 277

E

- ELECTION OF -
 Chairperson of Select Committees, 387, 388
Committees -
 Select, 377
 Standing, 414, 415
 Managers at Conferences, 253
 President, 16-23
 Senators, J.S.O. 16
See also BALLOT; COMMITTEES, SELECT.

ENACTING WORDS - Of Bills, not put to Committee except under Instruction, 292

ENGLISH LANGUAGE - All Petitions to be in, or accompanied by English translation, 82

EQUALITY OF VOICES AND VOTES - *See* VOICES: TIE

- ERASED TYPE -
Used for -
 amendments to Consolidation Bills, J.S.O. 18
 clause of Council Bill appropriating Revenue, etc., 278
 suggested amendments in Assembly Bills, 341

- ERRORS -
In Bills -
 clerical and typographical may be corrected by President at any time,
 326
 drafting, before issue to Members, 324
 printing, before issue to Members, 324

INDEX

EVIDENCE -

- Clerk, officer or reporter forbidden to give, without leave of Council, 444
- Disclosure of, prior to Report, 398
- Documents not to be produced in evidence without leave of President or Council, 31
- Leave required before evidence given or documents produced elsewhere, 444, 31
- Member not to give elsewhere without leave of Council, 444

EXAMINATION OF WITNESSES - *See* WITNESSES.

EX OFFICIO MEMBER AND CHAIRPERSON - President to be, of Standing Orders and Library Committees, 378

EXPLANATIONS -

- Charge may be explained, 214
- Committee speeches may be referred to by indulgence, 187
- Debates of same Session may be referred to by indulgence, 187
- Member may explain words, 175
- Personal matters may be explained by indulgence, 173
- Unbecoming words require, 208

EXPUNGEMENT - Of unbecoming Notices, 104

EXTRACTS - Referring to debates of same Session, excepting *Hansard*, not to be read, 189

F

FAIR PRINT -

Bills -

- after agreement to Governor's Amendment, 345
- before presentation for Assent, 348
- Chairperson of Committees to certify before Third Reading, 314

FIFTEEN MINUTES RULE -

- Adjournment of Council, 59
- Adjournment of Debate, 195
- Closure of Debate* -
 - in Committee, 371
 - in Council, 127
- That the Chairperson do now leave the Chair, 371
- That the Chairperson report progress and ask leave to sit again, 371

FINED - Member or other person arrested may be fined, 217

FREE CONFERENCES, 260, 265

G

GALLERY -

- Disorder in, 216
- Members of House of Assembly or Commonwealth Parliament, 445, 446
- Strangers* -
 - if Member shall take notice, President or Chairperson shall forthwith put question "That Strangers be ordered to withdraw", 447
 - President or Chairperson may order withdrawal of Strangers from any part of Chamber, 447

GANGWAYS AND PASSAGES of Chamber to be kept clear, 165

INDEX

GIVING OF NOTICES - *See* NOTICE

GOVERNMENT BUSINESS -

Government Business of the Day postponed to Private Business on
Wednesdays, 70

Minister -

arranges as thinks fit, 65

may move for change of Order without Notice, 78

Precedence of, on Tuesdays and Thursdays, 64

GOVERNMENT PRINTER -

Papers printed by, 418

To print all Bills after First Reading, 284

GOVERNOR, THE -

Access to, claimed by President, 23

Addresses to, 235-241; for Papers, 449

Approval of, necessary, for amendment or repeal of Standing Orders, 461

Assent to, or Reservation of Bills, 345, 348: *See* J.S.O's. Nos. 14, 17

Bills originated in Council to be presented to, by President, 345, 348

Injurious reflections on, not allowed, 193

Introduced to Council Chamber -

announced by Black Rod, 6

conducted to Chair by President, 6

Joint Addresses, J.S.O's. Nos. 10-13

Messages from, 242-246

Name not to be used irreverently or to influence debate, 191

President's election to be notified to, 22, 23

Recommends -

amendments in Bills, 342-345

Appropriation Bills in current Session, 277

Speech of -

Address in Reply to -

Committee to prepare, 12

President to present, 13

laid on Table by President, 12

Summonses House of Assembly at Opening, 8

GRANT OF MONEY - No petition to be received for, 97

H

HALF-PAST SIX O'CLOCK RULE, 60

HANSARD -

Assembly debates, 188

Council debates, 189

HANSARD REPORTER -

Not to disclose evidence, 398

Not to give evidence without leave of Council, 444

To note questions, replies and names of questioners at Select Committees,
unless otherwise ordered, 395

HOLIDAY, PUBLIC - Provision if Council is adjourned to, through want of Quorum,
57

HOUSE OF COMMONS - Practice of, used as guide, 1

INDEX

HOUSE OF ASSEMBLY -

Attendance of Council Members and Officers before Committee of, 434

Black Rod to deliver Message from Governor to, 8

Clerk of, Certifies Bills -

Appropriating Revenue, etc., 277

Constitution Bills, 279

Comment on measure pending in, 188

Communication with to be by Message, Conference or Committees conferring, 247

Debates in - quotations from in current Session, 188

Joint Addresses, J.S.O's. Nos. 10-13

Joint Committees with similar Committees of Council, 416; J.S.O's. 1-9

Members may be admitted to Council Chamber without the Bar, 446

Members to be furnished with Council Papers, 455

Message from, 250

HYBRID BILLS - Definition and Procedure, 268; J.S.O. on Private Bills No. 2

I

IMPERIAL PARLIAMENT -

Address to either House of the, 235, 238

Joint Addresses to the, J.S.O's. 10-12

Usages of House of Commons to be used as guide in certain cases, 1

IMPOST - Bills for appropriating any, to be specially certified, 277

IMPUTATION OR INFERENCE - Not to be made in putting Questions to Members, 109

INDULGENCE -

To Members unable to stand, 168

In explanation, 173, 187

INJURIOUS REFLECTIONS not permitted, except on substantive Motion after Notice and on specific charge, 193

INSTRUCTIONS -

Members moving motion for, not to have reply, 176

Notice required, 421

Time for moving -

to Committee of the Whole, 288, 352, 426 (*see also* 292)

to Select Committee, 428

to Joint Committees, J.S.O's. 7 and 18

to Committees of the Whole -

as to amendments in Bills, must be relevant to Title, 422

effect of rejection of, 425

enacting words of Bills not to be considered except under, 292

not to be mandatory or to give power already possessed, 423

rejection of, effect, 425

scope of, 422

time for moving, 288, 352, 426

to divide or consolidate Bills, 424

to Joint Committees -

Consolidation Bills - special, J.S.O. 18

require concurrence of both Houses, J.S.O. 7

to Select Committees -

scope and terms of, 427

time for moving, 428

INDEX

- INTEREST, PERSONAL OR PECUNIARY -
 Definition, 225
 Determination of in Committees, 362
 Select Committee Members not to have direct Pecuniary Interest, 379
 Vote of interested Member disallowed on Motion, 225
- INTERJECTIONS out of Order, if repeated, 181
- INTERRUPTED BUSINESS -
Resumption of - when caused -
 by adjournment of Council, 77
 by calling on Orders of the Day, 71
 by negating the Closure, 128
 in Committee, 372-374
 in Council, 76
- INTERRUPTION -
 Members to be heard without, 182, 127, 175, 184, 195; *exceptions*, 182
Permitted to -
 call attention to Point of Order or Privilege, 182, 200
 call attention to want of Quorum, 182, 54
 request words to be taken down, 182, 207
 President to be heard without, 161
 Repeated interjections not allowed, 181
 Talking aloud not permitted, 181
- IRREGULAR TIME - Motion (covering debate on urgent matter) to adjourn to, 116
- IRREGULARITIES -
 In Bills, 276
 Rescission of Resolution of Council to correct - requires one day's Notice, 159
- IRRELEVANCE IN DEBATE -
 In Committee, 367
 In Council, 186
- ITALICS used for -
Amendments made by -
 Joint Committees, J.S.O. 18
 Select Committees on Bills, 311
- J
- JOINT ADDRESSES - Orders regulating, J.S.O.'s. Nos. 10-13
- JOINT COMMITTEES -
 Appointment, number of Members and Quorum, J.S.O.'s. Nos. 1-3
 Chairperson to have deliberative but no Casting Vote, J.S.O. 6
 Instructions to, must have concurrence of both Houses, J.S.O. 7
 Power to Standing Committees to join with similar Committees of House of Assembly, 416
 Powers, J.S.O. 5
 Procedure, J.S.O. 9
 Quorum, J.S.O. 4
 Report, J.S.O. 8
- JOINT COMMITTEE ON CONSOLIDATION BILLS, J.S.O. 18
- JOINT SITTINGS OF BOTH HOUSES when electing Senators, J.S.O. 16
- JUDGES -
 How introduced as Witnesses, 443
 Injurious reflections on, not permitted except on specific charge and substantive Motion after Notice, 193
- L

INDEX

- LAI D ASIDE - Assembly Bills, 336, 338 (Money Bills, 341), Council Bills, 333, 334
- LAPSED BILLS -
 Bill passed by both Houses lapses if assent or reservation not notified or proclaimed before Prorogation but may be revived next Session of same Parliament and expedited, J.S.O. 17
 Member's right to speak on, 174
 Numbering of, J.S.O. 14
 Parliament - definition of, 347
 Revival, 346, 347. (*See also* Constitution Act, section 57)
 Stage - definition of, 347
- LAPSED MOTIONS -
 How revived, 120
 Notices of Motion, if not moved, lapse, 72
 Notices of Motion, interrupted by Orders of the Day and not resumed, lapse, 71
- LAPSED QUESTIONS - Questions not asked or answered, lapse, 112
- LAPSED ORDERS OF THE DAY -
 How revived, 68, 73
 Orders read and not disposed of, lapse, 73
- LAW -
 Bills for Consolidation of, J.S.O. 18
 Courts of, 193
 Evidence not to be given elsewhere by Member, Clerk, etc., without leave, 444
- LEAVE OF ABSENCE -
 To Member, 32-36
 To President, 25
- LEAVE OF THE COUNCIL -
 Definition, 3
Matters requiring -
 to conclude Speech, 197
 to explain Question, 109
 to move Motion without Notice, 114
 to withdraw call for Division before tellers appointed, 221
 to withdraw Motion, 123
 to withdraw Previous Question, 152
 to withdraw proposed amendment, 140
- LEAVE TO SELECT COMMITTEES -
 As to sittings, 391
 To confer with corresponding Committees of House of Assembly, 263, 416
 To report, 382, 383
- LEAVE TO ATTEND AS WITNESS -
 To Member, Officer, *Hansard* Reporter, in Courts of Law, 444
 To Member before Committee of House of Assembly, 434
 To Officer of Council, 434
- LEAVE TO BRING IN BILL -
 Motion for - must specify title, 269
 When presented Bill must coincide with, 272
 Withdrawal necessary if Bill not prepared in pursuance to Order of, 276

INDEX

LEGISLATIVE COUNCIL -

Adjournment of -

by President, 50, 53, 213

by Resolution, 58, 59

to irregular time (Urgency Motion), 116

Call of, 37-43

Days of meeting, 48

Definition of Council, 3

Members -

absence and attendance, 32-36

conduct, 161-165, 167, 243

not to be reflected on, 193

places of, 44-47

roll of, 28

Powers not restricted by Standing Orders, 2

Prevents quarrels between, 218

Rights claimed by President after election, 23

Suspension of sittings of -

at half past six o'clock, 60

Minister may move at any time for, 61

President may suspend when grave disorder, 213

Votes of not to be reflected on, 192

LEGISLATURE, THE -

Injurious reflections on not allowed, 193

Petitions not to contain disrespectful language against any branch of, 89

LISTS OF MEMBERS - (*See also* Constitution Act, section 15)

Addresses to be kept, 39

Ballot slips to be initialled by Clerk, 234

Of Committees to be posted in Lobby and Clerk's Office, 420

LOANS - Clause in Council Bill dealing with raising, guaranteeing or repaying of, to be printed in erased type, 278

LOCAL BODIES - Bill affecting interests of one or more, 268

LOT IN CASE OF TIE -

Clerk determines election of President by, 20

President determines other elections by, 234

M

MAJORITY, ABSOLUTE -

Constitution Bills, 282 (Certificates 279, 321)

Rescinding Resolutions, 159

Suspension of Standing or Sessional Orders without Notice, 457

MAJORITY OF VOICES - Questions determined by, 129

INDEX

MANAGERS AT CONFERENCES -

Duties, 260; Money Bills, 341

May confer by word of mouth, 260

Members -

to be nominated unless ballot required, 253

to be ordinarily not less than five, 252

to be same in number as for House of Assembly, 256

When Council receives Managers for House of Assembly, 258

In case of Bills -

instructed as to duties, 258, 260, 341

to report result in writing, 261

when Conference sought by other House, to bring back Bill, 338

MARGINAL NOTES - Read in passing clauses of Bill in Committee, 291

MATTERS OF INTEREST, STATEMENTS OF, 67b

MATERNITY LEAVE, 33, 34, 36

MEDIA - Complaints against, as breach of Privilege, 203

MEETING OF THE COUNCIL -

At Opening of Parliament, pursuant to Proclamation, 5

On other occasions, pursuant to Order, 48

MEMBERS OF THE HOUSE OF ASSEMBLY -

Admitted to Chamber without the Bar, 446

Attendance of, in Council Chamber desired by Governor, 8

Attendance of, as witnesses, 433

To be furnished with Council Papers, 455

Presentation of Joint Address to Governor in certain circumstances by, J.S.O.
13

MEMBERS OF THE LEGISLATIVE COUNCIL -

Absence and Attendance -

at call of Council, 37-43

attendance required unless leave granted, 32

presence to be recorded in Minutes, 30

orders concerning, 32-36

Absent when -

Notice of Motion called on - another may move at request of absent Member,
by leave, 115

Notice of Question - another may ask at request of absent Member, 113

Order of the Day called on - another may move or postpone, but not discharge
except after Notice, 156

Arrest of, 217

Bills - Committee of not less than two, instructed to prepare and bring in, 269

Charges against, 193, 214

Conduct in Chamber - Disorderly, 208-212, 217

not to pass between President and Member speaking, 164

not to stand in gangways, 165

not to move about while President puts question, 162

to address President, 167

to be silent and seated when President rises, 161

to make obeisance to Chair when entering or leaving Chamber, 163

to speak from place, or another's if no objection taken, 167

to take their places and not stand in gangways, 165

to be seated when speaking to Order during Division, 200

INDEX

In Debate - Rules relating to, 166-207
 Places - Orders regulating, 44-47
 Quarrels between, prevented by Council, 218
 Questions may be put to, 107
 Roll - How to be kept, 28
 Swearing-in, 9
 Withdrawal - In cases of suspension and charge, 212, 214
Witness -
 before Select Committee of Council, 431
 before House of Assembly or Select Committee thereof, 434
 examined in place in Council, 442

MESSAGES -

From the Governor -
 may be communicated by Minister from Minister's place, 246
 Orders regulating the reception of, 242-246
 recommending amendments to Bill, 342
 suspend Business in Council or Committee, 242, 373
From the House of Assembly -
 received by a Clerk-Assistant at the Bar, 250
 reported by the President as early as convenient, 250
 transmitting -
 Appropriation Bills, 277
 Constitution Bills, 279
 amendments in Council Bills, 333-335
 amendments recommended by Governor, 344
 amendments suggested by Council, 341
To the House of Assembly -
 may be moved for, without Notice, 248
 notifying -
 adoption of Conference recommendations, 338
 agreement with amendments, 330; with amendment or further
 amendment, 332
 disagreement with amendments, 331
 insistence (or otherwise) on amendments, 337, 338
 returning Assembly Bills passed, 317
 to be in writing, signed by President and delivered by a Clerk during sitting,
 249
 to be delivered to Speaker by Clerk if Assembly not sitting, 249
 transmitting -
 amendments, 339-340; and suggested amendments, 341
 Council Bills, 316
 Council Bills with suggested amendments, 278
 Council Bills with Governor's Amendments, 343

MESSENGER FROM GOVERNOR -

Announced by Black Rod, 242
 Chairperson of Committees leaves Chair of Committee and President
 resumes Chair to receive, 373
 Message delivered to President in the Chair, 242
 Withdraws after Message has been read, 244

MINISTER OF THE CROWN -

Adjournment of Council - Not bound by fifteen minutes' rule, 59
Business -
 may arrange Government Business as Minister thinks fit, 65
 may move for ordering of Business without Notice, 78
 Message from Governor - May communicate from Minister's place, 246
 Printing of Paper - May move for when laying Paper on the Table, 451

INDEX

Questions -

may be put to, at time of giving Notices, 107
 may decline to answer, and may answer question not asked, on ground of public interest, 111

Questions of Privilege - Referred to Committee of Privilege if Minister so claims (or if Council so resolves), 202

Seat - Entitled to reserved, 44, 45

Suspension of Sitting - May move at any time, 61

Vote of Thanks - May move, without Notice, 118

MINISTERIAL STATEMENT -

Debate allowed on, when Minister moves to print Paper for purpose of making Ministerial statement, 180; but not allowed otherwise.

Ordinary routine of business, time for giving, 67, and any other time, by leave, 67a

MINORITY OF VOICES - One of the, may call for a Division, 129, and having so called, must vote in accordance with own voice, 220

MINUTES OF EVIDENCE of Select Committees, 395

MINUTES OF PROCEEDINGS -

After Session Papers to be bound with, 454

Definition of "Minutes", 3, 29

Clerk to note, 29

Division Lists -

to be recorded in, 232

to be corrected by President in case of mistakes, 230

Motion not seconded not to appear on, 119

Notice Paper appended to, 62

MISTAKES - Correction of

Division Lists, 229, 230

Involving rescission of Resolution, requires one day's Notice, 159

MOTIONS -

Amendment of, 130-143

Business not to be anticipated in Motions of Urgency, 117; or otherwise, 185

Dilatory -

adjournment of Council, 59

adjournment of Debate, 195

Chairperson do now leave Chair, 371

Formal - matter of urgent public importance, 116, 117

Further proceedings on Questions from Chair, 121-129

Interrupted by Orders of the Day being called on - resumption, 71

Lapsed may be revived, 120

May, by leave and on request, be moved by other than Member giving Notice, 115 (*See Reply*, 177)

Members to speak from own place - or another's if no objection, 167

Members to support Motion of Urgency (three to rise), 116

Notice required, except by leave or pursuant to Standing Orders, 114:

Exceptions, e.g., 59-61, 68, 78, 116, 118, 205, 210, 225, 248, 283, 307, 313, 383, 451, 452, 457

Notices of Motion, 98-106

Notices of Motion, called on and not moved, lapse, 72

Notices of Motion, if not called on, set down for next sitting day, 74

Notices of Motion, priority of, 64-66, 70

Petition - presentation of when Motion called on, 80

INDEX

Precedence of, 65
 Precedence of, to Question of Privilege, 201, 202, but not to adjourned debate on, unless so ordered, 201
 Precedence of, to Vote of Thanks, 118
 Privilege, 201, 202
 Question proposed on, 121; put when debate concluded, 126
 Rescinding Resolution, 159
 Reply allowed to mover of substantive, 176, but not to mover of amendments, Previous Question or Instruction to Committee, 176
 Same Question not to be proposed again, 124
 Secunder required for, 119 (not in Committee, 363)
 Superseded, 122
 Thanks, 118
 Urgency - matters of public importance, 116
 Withdrawal of, 123 (may be revived, 120)
In Committee -
 not seconded, 363
 not to contradict or be inconsistent with previous decision until after recommittal, 364

MUNICIPAL CORPORATIONS -

 Bill affecting interests of one or more Municipalities, 268
 Petitions from to be under seal, 87

N

NAME OF SOVEREIGN OR GOVERNOR - Not to be used irreverently or to influence debate, 191

NAMES OF MEMBERS -

 Called by President to speak, 169; if fails to speak, 172
 Called over by Clerk at Call of Council, 41, 42
 Discharged from Select Committee to be stated in Notice of Motion for, 381
 Preaudience - President to name Member entitled to, 169
 Proposed as Managers for Conference, 253
Recorded -
 by tellers in Division, 227, and entered in Minutes, 232
 each day when present, 30
 in proceedings and divisions of Select Committees, 393
 when no Quorum, 56: at meeting of Select Committee, 390
 Roll, 28

NEW MEMBERS -

 Admitted within Bar and sworn, 9
 Names of, entered on Members' Roll, 28

NEWSPAPERS - Extracts from, referring to debates of same Session, not to be read, 189

NOMINATION OF COMMITTEES -

 Address in Reply, 12
 Conference Managers, 253
 Select Committees, 377
 Standing Committees, 415
 To prepare Bills, 269
 To prepare Reasons, 340

INDEX

NOTES -

- Marginal, read by Chairperson, when reading clauses of Bills, 291
- Member may refer to, when speaking, 170

NOTICE -

- Absent Members - Notice given on behalf of, 100, 113, 115
- Alteration of terms of, 102
- Consecutive Notices, 106
- Containing unbecoming expressions or offending against Standing or other Orders -*
 - Council may expunge, 104
 - President shall amend or order not to be printed, 104
- For discharging of or adding Members to Select Committees, 380, 381
- Giving of - Orders regulating, 98-106
- Of Motions containing irrelevant matters may be divided, 105
- One day's Notice, at least, required for Motions, 114
- Permitted to be given at irregular times -*
 - consideration of Select Committee Report, 411
 - printing Paper, 419
 - withdrawal of Bill, 310
- Seven days' notice required for rescinding Resolutions, 159, but one day for correction of irregularities or mistakes, 159
- Time for giving, 98, 103

NOTICE PAPER -

- Appended to Minutes, 62
- Business on, not to be anticipated, 117, 185
- Clerk to prepare, 62
- Government Business - precedence of, 64, 65
- Lapsed Bills - restoration of, 346
- Lapsed Business, 74, 75
- Motion not moved, withdrawn from, 72
- Postponement of Business, 101
- Precedence of unopposed Business, 14, 64
- Private Business, precedence, 64
- Published, 62
- Question directed to President not to be placed on, 99
- Unbecoming Notices expunged from, 104

NOTICES OF MOTION -

- Amendment of, 102
- For Leave of Absence, 34, 64
- How given, 98, 106
- If called on and not moved, lapse, 72
- If not called on, set down for next sitting day, 74
- Length of Notice, 114; *exceptions*: rescinding Resolutions, 159
- May be divided, 105
- May be moved in absence and at request of Member giving notice, by leave, 115
- Member called on to move deemed to be in possession of Council, 166
- Notice given for absent Member, 100
- Period for giving, 69
- Postponement of, 101
- Priority on Notice Paper, 64, 65
- Private Business - precedence on Wednesdays, 70
- Relative Order of entry on Notice Paper, 66

INDEX

Resumption of, when interrupted - by Orders of Day being called on, 71;
 if not resumed, lapse, 71
 Time for giving, 98, 103; *exception*: Bill from Select Committee, 310
 Unbecoming Notices expunged, 104
 Withdrawal of Bill from Select Committee, 310

NOTICES OF QUESTION, 98-104, 106

Alteration of, 102
 Argument, etc., not permitted in, 109
 Changing day for bringing on, 101
 Given for absent Member, 100; may be asked by another, 113
 How given, 98, 106
 If called on and not asked or answered, lapse, 112
 If out of Order, 104, 109
 Reply to, not to be debated, 110
 Supplementary Questions without Notice, 108
 Time for giving, 98; before Business of Day called on, 103
 To President not entered on Notice Paper, 99
 Two, not to be given consecutively if another Member has notice to give, 106

NULL AND VOID -

Proceedings of Council declared, 160
 Select Committee's Proceedings - after President has taken Chair, 392

NUMBERING OF ACTS, J.S.O. 14

O

OATH -

Administered to new Members, 9
 Witnesses cannot be examined on, except where provided by law, 436

OBEISANCE TO CHAIR - Members to make, on entering or leaving Chamber, 163

OBJECTION -

To Ruling of Chairperson to be taken at once and be stated in writing, 360
 To Ruling of President to be taken at once and be stated in writing, 205
 To words used in debate, 207, 359

OBJECTIONABLE OR OFFENSIVE WORDS -

If taken down, Member refusing to explain or withdraw and apologise named
 by President, 208
 In Committee, 359
 Taken down on request, 207
 Use of, highly disorderly, 193

OFFICERS OF THE COUNCIL -

Attendance as witnesses before House of Assembly, 434
 Not to give evidence without leave, 444
See also BLACK ROD, CLERK, DEPUTY CLERK, CLERK-ASSISTANT

OFFICERS OF THE HOUSE OF ASSEMBLY - Attendance as Witnesses, 433

See also CLERK OF THE HOUSE OF ASSEMBLY

INDEX

OPENING OF PARLIAMENT, 5-15

OPENING SPEECH OF GOVERNOR, 12, 13

OPENING SPEECH OF SOVEREIGN, 15

ORDER -

During Division -

no objection may be taken to President's Ruling, 206

Point of, may be raised only by President's leave while seated and covered, 200

Member may rise at any time to speak on, 200; *exception*: division, 200

Objection to Chairperson's Ruling, 360

Objection to President's Ruling, 205

Precedence given to Question of, 201

Proceedings on Question of, 204

Same rules to be observed in Committee as in House, 356

To be maintained -

by President, 199

in Committee by Chairperson, 357

ORDER IN BUSINESS - Orders regulating, 67-78

Business not called on, 74

Business set for day over which Council adjourns, 75

Minister may order Business of Council at any time without Notice, 78

Notices of Motion called on and not moved, lapse, 72

Orders of the Day -

disposed of without interruption except on Wednesdays, 70

postponed, discharged and revived without Notice, 68

read and not disposed of, lapse, 73

Ordinary routine of Business, 67

Resumption of interrupted Business, 76

Resumption of Business interrupted by adjournment of Council, 77, 374

ORDER OF LEAVE -

New Bill presented under, in lieu of one withdrawn, 276

Title of Bill must be specified in Motion for, and when presented must coincide with, 272

Withdrawn Bill may be replaced with another under same Order of Leave, 276

ORDER OF REFERENCE -

Committees confined to -

Committee of the Whole, 355

Select Committees, 397

Extended and restricted by Instruction in case of Select Committees, 427

Instructions must be relevant and not contradictory to, 422

ORDERS FOR RETURNS -

Clerk to prepare return *re* compliance with, 454

To be communicated, 448

INDEX

ORDERS OF THE COUNCIL -

- Definition, 158
- Discharged, 160
- Disobedience to, 215

ORDERS OF THE DAY -

- Absence of Member in charge - how dealt with, 156
- Defined, 153
- Discharged, 68, 155, 156
- If not read, set down for next sitting day, 74
- Member in charge of, or entitled to preaudience on, deemed in possession of Council when called on, 166
- Notice Paper* -
 - place on, 64
 - relative order on, 66
- Postponed, discharged or revived at commencement of Business, 68
- Postponement beyond probable duration of Session requires Notice, 157
- Priority for Third Readings of Bills, 64
- Procedure, 70, 71
- Read and not disposed of, lapse and how revived, 73
- Revived (at commencement of Business), 68
- Seconder not required, 154
- Suspension of Standing Orders limited until conclusion of consideration of, 460 (with exceptions)
- When called on, 69

P

PAPERS AND DOCUMENTS -

- Addresses for, 449
- After-Session Papers, 454
- Council Papers to be furnished to Assembly Members, 455
- Custody of, in Clerk, 31, 400
- Disclosure of, 31, 398, 400
- Laid on Table, any time when no other Business before Council, 450
- Leave of President or Council required before removal or production in evidence, 31
- Orders for, to be sent, 448
- Petitions, 79-97
- Presentation of, 450
- Printing of* -
 - on Motion of Member on Notice, 419
 - on Motion of Minister of Crown, 180 (no debate allowed except if made for Ministerial Statement), 451
 - on Report of Printing Committee, 418, 419
- Production of, in evidence, 31
- Prorogation - Returns of, after, 454
- Public - after presentation, may be copied, etc., 453
- Quotation from in debate, 452
- Reading of, 451
- Removal of, 31
- Return not made before Prorogation, 454
- Select Committee* -
 - custody of, 400
 - disclosure or publication of, only by leave of Council, 398
 - endorsement of, by Chairperson, 400
 - evidence, 398
 - printing of, 310, 410
 - Tabling of, 67

INDEX

PARLIAMENT -

Commonwealth -

- Members admitted without the Bar, 446
- reflections on, not permitted, 193
- Definition of, in respect of lapsed Bills, 347
- Opening Proceedings, 5-12
- Reflections, injurious, on State or Commonwealth not permitted, 193
- Reflections, injurious, on Votes of Council or Statutes of, 192

PASSAGES AND GANGWAYS OF CHAMBER to be kept clear, 165

PAYMENTS TO SELECT COMMITTEE WITNESSES, 413

PECUNIARY INTEREST -

- Definition, 225
- Determination of, in Committees, 362, 379
- Select Committee Members not to have direct, 379
- Vote of interested Member disallowed on Motion, 225

PERSONAL EXPLANATION, 173, 175

PERSONAL GRIEVANCES - Petitions complaining of, 95

PERSONAL INTEREST - *See* PECUNIARY INTEREST *above*

PETITIONS -

- Clerk to certify, 79; and read, 93
- Contents, 81, 82
- Corporations to affix Seal, 87
- Documents not to be attached (except in case of Private Bills), 88
- Discussion not allowed on presentation except on personal grievance, 93
- For distinct grant of money shall not be received, 97
- Lodgement of, with Clerk, two hours prior to meeting of Council, 79
- Personal Grievance may be discussed on presentation of Petition, 93
- Presentation of*, 67, 80
 - by Member, 90 -
 - but not to be from Member presenting, 91
 - who shall bring to Table, 93
 - who shall affix name and number of signatures, 92
 - who shall read Clerk's certificate and state allegations and request, etc. 93
- Printing of, 96, 418, 419
- Received as from person signing, 86
- Signatures, 83-85
- Time for presentation, 67, 80
- Wording of, to be respectful, decorous and temperate, 89

PLACES OF MEMBERS - Orders regulating 44-47

POSSESSION OF THE HOUSE OR CHAIR -

- Member held to be in, when the Business of which he is in charge is called on*, 166 -
 - interruptions permitted, in certain cases, 182
 - interruptions not permitted, 59, 127, 175, 184, 195
 - pre-audience, 166, 169, 197, 198

POSTPONED CLAUSES -

- Clause may be postponed if not amended, 297
- Consideration - Order of, 290

INDEX

PRAYERS, 51

PREAMBLE TO BILL -

Consideration -

after clauses and schedules and before title, 290

by Select Committee - if allegations not found to be true, report to Council to be made, 305

PRE-AUDIENCE, 166, 169, 197, 198

PRECEDENCE OF -

Certain unopposed business - if so desired by Member in charge, 64 -

for production or printing of Papers, 64

for leave of absence to a Member, 64

for leave to introduce a Bill, 64

to Orders of the Day for Third Reading of Bills, 64

Debate on President's Ruling, 205

Government Business, 64, 70

Notices of Motion over Orders of the Day, 65

Private Business, 64, 70

Questions to Members, 63

Questions of Order and Privilege, 201

PRECINCTS OF HOUSE -

Member suspended to withdraw from, 212

Strangers - Disturbance by within, 216

PREROGATIVE, ROYAL -

Address to Governor necessary for Papers required involving Prerogative, 449

PRESENTATION OF -

Addresses to Governor, 13, 237, 239, 240

Bills to the Council by Members, 270

Bills to the Governor by President, 345, 348

Joint Addresses - J.S.O's. 12-13

Papers to Council, 450

Petitions to Council, 80

President to Governor, 22, 23

Reports -

from Committee of Whole, 375

on Conferences, 261

on Select Committees, 410

PRESIDENT, THE -

Absence of - Election of Deputy, 24, 25

Addresses - Signs, presents or transmits, and reports replies, 13, 235, 241.

See also J.S.O's. 10-13

INDEX

- Adjournment of Council* -
 adjourns for want of Quorum without Question put, 50, 53, 54
 adjourns in cases of very grave disorder, 213
- After-Session Papers to be forwarded to, 454
- Ballots - Appoints scrutineers, and determines tie by lot, 234
- Bills* -
 announces Chairperson's Certificate before Third Reading, 314
- Committees of Whole* -
 leaves Chair of Council without Question put after Second Reading, 288 -
exceptions:
 when Bill referred to Select Committee, 268; when Constitution Bill carried by less than Absolute Majority, 282; when Notice of Instruction has been given, 426
 takes Chair of Committee, 353
 counts Council before putting question for second and third reading of certain Constitution Bills, 282
 errors in, may be corrected after First Reading and before issue to Members, 324
 errors of clerical or verbal nature may be corrected at any time, 326
 passing - puts Question for, without debate, 315
 presentation to Governor of, after certification, 348, 349, 345
- Casting Voice, 231; and in Committee, 361
- Concurrence or non-concurrence on Second or Third Reading of Bills, 231
See also Constitution Act, section 26(2), (3)
- Chair* -
 Questions from, 121, 125, 126, 128, 129
 resumes in cases of grave disorder in Committee, 358
 takes Chair at appointed time, 50
 when Governor present takes Chair on right of Governor, 6
- Committees of Whole* -
 leaves Chair of Council without Question on Order being made or read, 352; *exception:* where Notice of Instruction given.
 resumes Chair of Council -
 in cases of grave disorder, 358
 to hear reports of Members failing to explain or withdraw words, 359
 to hear reports of objectionable words taken down, 359
 to hear reports of want of quorum, 368, 369
 takes Chair of Committee, 353
- Counts Council* -
 at Second and Third Readings of certain Constitutional Bills, 282
 for Quorum, 54
- Debates* -
 may direct -
 Member to discontinue speech, 186
 Member to resume seat, 172 (*See also* 161)
 words objected to, to be taken down, 207
 Member speaking to address, 167
 names Member to speak in, 169
- Divisions* -
 Casting Voice (President), 231; (Chairperson), 361
 corrects errors in Minutes concerning, 230
 declares results, 227
 directs doors to be locked during, 222
 disallows vote of Member not within Bar when Question put, 226

INDEX

- Points of Order -
 - decision on, not to be questioned until after, 206
 - gives permission to Member to speak to, 200
 - puts question again, 223
 - reasons given for Casting Vote recorded, 231, 361
- Election* -
 - Orders regulating, 10, 16-23
 - presentation to Governor, 22, 23
- Guided by House of Commons practice, 1
- Joint Sitting of Houses to Elect Senators - Summons Members and presides at J.S.O. 16
- Members to address President when speaking, 167
- Messages* -
 - from Governor - receives and reads, 242, 243
 - to and from House of Assembly - signs and reports, 249, 250
- Notices of Motion* -
 - amends unbecoming, 104
 - divides irrelevant, 105
- Order* -
 - decides objections to Rulings of Chairperson, 360
 - decides points of, 204, 206
 - directs Black Rod regarding -
 - disorderly strangers, 216
 - Members suspended, 212
 - disobedience to authority of, 208
 - guided by House of Commons procedure, 1
 - maintains, 199
 - may adjourn or suspend sitting when very grave disorder, 213
 - names and reports Member guilty of persistent and wilful disorder, 208
 - objections to Rulings -
 - debate on, adjourned and to be first Order of Day for next meeting unless otherwise ordered, 205
 - to be taken at once in writing, 205
 - reports -
 - arrests without delay, 217
 - disorder in Committee, 209
 - resumes Chair when grave disorder arises in Committee, 358
 - to be addressed by Members speaking, 167
 - to be heard without interruption, 161
- Prayers - reads, 51
- Questions from the Chair* -
 - divides complicated, 125
 - proposes, 121
 - puts, 126
 - puts "pending" questions in cases of closure, 128
 - states opinion whether "Ayes" or "Noes" have it, 129
- Questions by Members directed to - No entry of, on Notice Paper, 99
- Quorum - Adjourns Council for want of Quorum without Question put, 50, 53, 54
- Rulings of, 204, 206
- Seats of New Members - Determines, 46
- Select Committees* -
 - documents presented to, may be ordered to be released by, 400
 - ex officio* member and Chairperson of Standing Orders Committees and not eligible for appointment to other, 378, 414
- Speech of Governor - Tables copy of, 12

INDEX

- Strangers* -
 admits, 445
 orders -
 delivery into custody of, 216
 withdrawal of, 447
 Suspension of Sitting - May suspend sitting in cases of very grave disorder,
 213
Vacancy in Office -
 during Recess, 10
 during Session, 26
 Vote - Casting, 231; on Second and Third Readings of Bills, 231
 Warrants - To enforce attendance of witnesses, 432, 435
- Witnesses* -
 examines before Council, 439
 summons Members of Council, 430
 summons others to attend before Council or Committee of the Whole,
 429

PREVIOUS QUESTION -

- Cannot be amended or moved on an amendment, 147
 Cannot be moved or debated by a Member who has spoken, 149
 Cannot be moved while an amendment is undisposed of and prevents
 amendments being moved until itself withdrawn, 148
 Carries no reply, 176
 Debate on, 151
 Form of motion for, 144
 If affirmed, next business proceeded with, 145
 If negatived, original question put without further debate, 146
 In case of a series of propositions, 150
 May be moved on Second and Third Readings of Bills, 287, 312
 May be withdrawn by leave and again moved, 152
 No Motion for, allowed in Committee, 365
 Questions superseded by, 122; revival, 145
 Superseded by adjournment of Council, 122

PRINTING -

Bills -

- after First Reading, 284
 after Report, 306, 310, 311, 313, 314
 amendments of House of Assembly, 327
 Bill not to be reprinted before Report, 301
 errors corrected, 324, 326
 use of erased type in -
 Assembly Bills - procedure on suggested amendments, 341
 Council Bills appropriating Revenue or other public money or
 dealing with taxation or raising, guaranteeing or repaying of
 any loan, 278; no question put on clauses in erased type, 298
 Consolidation Bills - J.S.O. 18
 use of italic type in -
 Bills amended by Select Committees, 311
 Consolidation Bills - J.S.O. 18
 when Bill finally agreed to by both Houses, 348
 when Governor's Amendments agreed to, 345

INDEX

Papers, Petitions and Reports -

- Motion for adoption of Printing Committee Reports - details of Papers not open to discussion on, 419
- no debate on Motion to print without Notice unless covering Ministerial Statement, 180
- Petitions - Member moving for printing of, to state intention of subsequent action, 96
- printing may be moved by Minister of Crown without Notice on presentation, 451
- printing of Select Committee Reports on presentation, 310, 410
- stand referred to Printing Committee for report where not already printed or ordered to be printed, 418
- where not recommended by Printing Committee, Member may give Notice of Motion for, 419

PRINTING COMMITTEE -

- Appointment, 415
- Duties, 418
- Powers, 416
- Procedure after report, 419
- Quorum, 417
- Reports, 416
- Time for appointment, 11, 414

PRIORITY OF BUSINESS - *See* Precedence*Business -*

- formal, 14
- Government, 64
- Private, 64, 70
- unopposed, 14, 64
- Notices of Motion over Orders of the Day, 65
- Notices of Questions, 63
- President's Ruling - debate on, 205
- Questions of Order and Privilege, 201

PRISONER IN GAOL, 435

PRIVATE BILLS - *See also* Joint Standing Orders on -

- Defined - Joint Standing Orders (*Private Bills*) No. 1
- Petitions for, may have documents attached, 88
- Witnesses - *See* 433

PRIVATE BUSINESS - Precedence to, on Wednesday, 64, 70

PRIVILEGE - 200-203

- Breach of, by media, 203
- Committee of -*
 - Council may resolve to refer question to, 202
 - Minister may move for reference to, 202
- Questions of -*
 - between Houses, 202
 - may be raised at any time, 200
 - may be referred to Committee of Privilege, 202
 - suspend business, 201

PRIVILEGES OF COUNCIL -

- Not restricted by Standing Orders, 2
- Rights claimed by President after election, 23

INDEX

PROCEEDINGS OF COUNCIL -

Minutes of -

- Casting Vote of President and Chairperson - any reasons given to be recorded in, 231, 361
- Clerk to note, 29
- definition of, 29
- Divisions lists to be recorded in, 232
- Division lists - mistakes in, to be corrected by President, 230
- Members' attendances to be recorded in, 30
- Motion not seconded not to appear in, 119

PROCLAMATION CONVENING PARLIAMENT - To be read by Clerk, 5

PROLIXITY IN DEBATE, 186, 367

PROROGATION OF PARLIAMENT -

- Commitments quashed by, 217
- Bills not assented to or reserved at, lapse, J.S.O. 17

PROTECTION -

- Witnesses before Select Committee entitled to, 437

PROTESTS AND DISSENTS may be added to Select Committee Report, 405

PUBLIC HOLIDAY -

- Provision if Council is adjourned to, through want of Quorum, 57

Q

QUARRELS - Council will interfere to prevent, between Members, 218

QUARTER OF AN HOUR RULE -

- Adjournment of Debate, 195
- Adjournment of House, 59
- Closure of Debate, 127

QUESTIONS FROM THE CHAIR -

- Amendments, 130-143
- Clerk may be required to read, 184
- Closure, 127, and questions pending put at discretion of President, 128
- Definitions of Resolution and Order of Council, 158
- Determined by majority of voices; *exceptions*: 129, President states his opinion of result, 129
- How superseded, 122
- How withdrawn, 123
- Orders of the Day, 153-157
- Previous Question, 144-152

INDEX

- Proposed by President, 121
 - Put by President when debate ended, 126; opinion on result stated, 129
 - Question again stated before Division, 223
 - Resolutions, rescission of, 159
 - Same Question not to be again proposed unless previous resolution rescinded, 124, 159
 - When complicated - may be divided by President, 125
- QUESTIONS TO MEMBERS, 98-113
- Absence of Member who has given Notice, 113
 - Answers not to be debated, 110
 - Explanation of question requires leave, 109
 - Minister may decline to reply, or may answer unasked question, 111
 - Notice of* -
 - alteration of terms of, 102
 - first business on Notice Paper, 63
 - given for absent Member, 100
 - how given, 98
 - irregular or unbecoming, may be amended by President or expunged from Notice Paper, 104
 - postponement of, 101
 - time for giving, 98, 103
 - Questions called on and not asked or answered, lapse, 112
 - Questions addressed to President not entered on Notice Paper, 99
 - Restrictions on putting questions and limitation of explanations concerning, 109
 - Subject matter of questions, 107
 - Supplementary questions may be asked arising out of answer to, 108
 - Time for asking, 67, 63
 - Without Notice, 67, 69, 107
 - See also* Matters of urgent public importance, 116
- QUESTIONS TO WITNESSES -
- Before Council or any Committee thereof, 436-442
 - Before Select Committees, 395, 396
- QUORUM -
- In Council* -
 - adjournment for want of -
 - at time of meeting, 50
 - when reported by Tellers or Chairperson of Committees, 53
 - after notice taken, 54 - Council counted and bells rung, 54
 - consists of ten Members including President, 50 (*see* Constitution Act, section 26)
 - Members not to leave Chamber -
 - at time of meeting until Quorum made up, 52
 - when President counting Council, 55
 - Members present at time of adjournment for want of quorum - names to be recorded, 56
 - resumption of Business interrupted by count out, 76, 374

INDEX

- In Committee* -
 consists of ten Members including Chairperson, 354
 Members not to leave Chamber while bells are ringing to make up
 Quorum, 368
 resumption of Business interrupted by count out and adjournment of
 Council, 374
 want of Quorum to be reported by Chairperson -
 after Division, 369
 after notice taken and count taken, 368
 In Joint Committees - subject to minimum fixed by each House, may be fixed
 by Committee, J.S.O. 4
In Select Committees -
 absence of, at time of meeting or after, 390
 consists of three in Committee of five, or as ordered at time of
 appointment, 386
 In Standing Committees - three unless otherwise ordered, 417

- QUOTATIONS FROM -
 Assembly debates of current Session, 188
 Documents during debate, 452
 Council debates, 189
 Newspapers, 189

R

- RATE - Bills for appropriating any Rate, Tax, Duty or Impost to be specially
 certified, 277
- REASONS -
 Assigned by Assembly in case of disagreement with suggested amendments
 in Money Bills, 341
 Assigned when casting vote given by President, 231; Chairperson of
 Committees, 361
- RECOMMENDATION OF GOVERNOR -
 Assembly Bills and Amendments appropriating Revenue - to be certified by
 Clerk of Assembly, 277
 Amendments in Bills, 342-345
- RECOMMENDATIONS FROM CONFERENCES, 260, 338
- RECOMMITTAL OF -
 Bills, 307, 313, 290, 295
 Resolutions, 376
- RECORDS -
 Clerk to -
 have custody of, 31
 keep Members' Roll, 28
 keep Minutes of Proceedings, 29, and attendance of Members, 30
 keep signed copies of Acts, 350
- REFLECTIONS, INJURIOUS - Not permitted on Parliament of State or Commonwealth
 or Members thereof, the Governor, and the Judges or Courts of Law, except on
 substantive Motion after Notice and on specific charge, 193
- REFLECTIONS ON VOTES OF COUNCIL AND STATUTES - NOT PERMITTED EXCEPT ON
 MOTION FOR RESCINDING OR REPEALING THE SAME, 192, 193

INDEX

- REPEAL OF -
 Previous Standing Orders, 4
 Statutes, 192, 274
- REPETITION OF -
Certain Summary Motions restricted -
 adjournment of Council, 59
 adjournment of Debate, 195
 closure, 127
 in Committee -
 Chairperson do now leave Chair, 371
 Question be now put, 371
 reporting progress, 371
 Speech, 186
 Speech, in Committee, 367
- REPLY -
 Allowed to mover of substantive Motion, 176; but may be waived in favour
 of another, 177
 Closes debate, 178
 Governor's Opening Speech, 12
Governor's Reply to presentation of -
 Addresses, 241
 President, 23
 Not allowed on amendment, Previous Question or Instruction 176
- REPORTER TO THE COUNCIL -
 Not to give evidence elsewhere without leave of Council, 444
 Not to disclose evidence, 398
 To note questions, replies and names of questioners at Select Committees,
 unless otherwise ordered, 395
- REPORTS -
Governor's reply to -
 presentation of Addresses to be reported, 241
 presentation of President to be reported, 23
 Of Committees of the Whole Council to be brought up and received without
 question, 375, and dealt with, 376
 Results of Conferences to be reported, 261
 Of Select Committees - *see* 401-412
 On Bills - *see* 306-311
- RESCINDING A RESOLUTION -
 During same Session requires seven days' Notice and Absolute Majority, 159
 Procedure, 159 - *see also* Reflection on Vote or Statute, 192
 To correct irregularities or mistakes requires one day's Notice, 159
- RESOLUTIONS -
 Definition, 158
 May be communicated to Assembly on Motion without Notice, 248
 Reflection on, not permitted with exception, 192
Rescission of -
 in same Session requires seven days' Notice and Absolute Majority
 except in cases of error, 159
 in cases of error one day's Notice required, 159
Reported from Committee by Chairperson, 370 -
 how treated, 376

INDEX

- RESTORED BILLS, 174, 346, 347; J.S.O's. 14 AND 17
- RESUMPTION OF INTERRUPTED BUSINESS -
Caused by -
 adjournment of Council, 77
 negating the Closure, 128
 Orders of the Day being called on, 70, 71
 other proceedings, 76
 In Committee, 372-374
- RETURNS AND PAPERS - May be presented at any time when other business not before Council, without comment, 450
- RETURNS BY RETURNING OFFICER - Petitions against, 90, 95
- REVENUE, THE - Bills appropriating, 277, 278
- REVIVAL OF -
 Bills, 281, 346, 282, 341, 174
 Committees, 372, 374, 412
 Motions, 120
 Orders of the Day, 68, 73
- ROLL - Members', how to be kept, 28
- ROYAL ASSENT - Bills agreed to by both Houses not assented to or reserved prior to prorogation, J.S.O. 17
- ROYAL FAMILY -
Addresses to members of -
 how proposed and signed, 236
 how transmitted, 237
 Joint Addresses to - how presented, J.S.O. 12
- ROYAL PREROGATIVE -
 Address to Governor necessary for Papers required, involving, 449
- RULINGS OF -
 Chairperson of Committees - Objection to, 360
 President, 204 - Objection to, 205
- S
- SAME QUESTION -
 Not to be again proposed during Session unless previous resolution rescinded, 124, 139
Re Bills -
see Amending Act of same Session, 274
- SCHEDULES TO BILLS -
In Committee -
 consideration - Order of, 290
 questions put on, 291, 296
 Recommittal on Third Reading for consideration of, 313
 Reconsideration, 300

INDEX

SCHEDULES TO MESSAGES -

Of Amendments -

agreed to with amendment or further amendment, 332

disagreed to, 331

form of, 339

signed by Clerk, 339

Of Reasons for Disagreement with Amendments -

assigned when amendments disagreed to, 331

drawn up by Committee of three nominated Members upon adoption of Report, 340

signed by Clerk, 340

Of Suggested Amendments, 341

SEATS OR PLACES OF MEMBERS - Orders regulating, 44-47

SECONDER OF MOTION -

May reserve speech, 179

Not required on Orders of the Day, 154

Not required in Committee, 363

Restrictions on those seconding Motions for -

adjournment of Council, 59

adjournment of Debate, 195

closure, 127

SELECT COMMITTEES - *See* 377-413 *and* Committees, Select.

SENATORS OF COMMONWEALTH PARLIAMENT -

Joint Sittings of House for election of, J.S.O. 16

Members admitted without Order to Chamber without Bar, 446

Not to be injuriously reflected upon, 193

SESSIONAL ORDERS - Suspension of, 456-460

SEVEN DAYS' NOTICE required for -

Joint Sittings for election of Senators, J.S.O. 16

Motions to rescind Resolutions except in cases of errors, 159

SIGNATURES ON PETITIONS, 83-87

SIX MONTHS' AMENDMENT-

If carried, Bill cannot be revived, 281

To Second and Third Readings of Bills, not open to amendment, 287

SOVEREIGN -

Addresses to, 235; transmission to Governor, 237, 239, 240, 241

Irreverent use of name, or to influence debate, not permitted, 191

Opening Speech by, 15

INDEX

SPEAKER OF HOUSE OF ASSEMBLY -

Joint Addresses -

signs and agrees as to mode of presentation, J.S.O's. 11, 12
 originating in Assembly, presented by, J.S.O. 13

Joint Sittings for election of Senator -

summoned by, in absence of President, J.S.O. 16

SPEECHES -

In Committee not to be referred to in Council except in explanation, 187

Right and manner of, 166-181, 183-184

Subject matter of 185-193; in Committee, 299, 366-367

Time limit on (suspension of Standing Orders), 458

SPEECH OF GOVERNOR, 12, 13

STAGE OF BILL - Definition of term "stage" *re* lapsed Bills, 347

STANDING COMMITTEES -

Appointment of, 11, 414

Orders regulating appointment, powers, and quorum, 414-417

Printing Committee -

instruction to, 418

report of, 419

STANDING ORDERS -

Applicable to procedures of Joint Committees and to Joint Sittings to elect
 Senators, J.S.O's. 9, 16, 31

Committee, 414-417. *See also* Committees, Standing

Disobedience of, 208

Duration of, 461

Private Bills - *See* Joint Standing Orders on Private Bills

Repeal of previous, 4

Suspension of Standing and Sessional Orders -

by Motion after Notice by ordinary majority, 456

by Motion without Notice by Absolute Majority in cases of urgent
 necessity, 457

discussion on Motion for, limited, 458

mover of Motion for suspension limited to five minutes, 458

not to be moved after Orders of the Day called on except to expedite
 business, 460

operation of suspension limited to special object and to day's sitting,
 459

Suspension not permitted in respect of Standing Orders concerning -

Constitution Bills requiring Absolute Majority on Second and Third
 Readings, 282

Same Question, 124

six months' postponement of Second or Third Readings of Bills, 281

STATE POLICY - overrules question of Member's personal interest, 225

STATUTES not to be reflected upon: *exception*; 192

INDEX

STRANGERS -

- Admitted only by President within or without the Bar, 445
- If disorderly may be arrested and punished, 216, 217
- If Member takes notice, question "That strangers be ordered to withdraw" must be put, 447
- Members of House of Assembly or of Commonwealth Parliament may enter without the Bar without an order, 446
- President or Chairperson may order strangers to withdraw, 447
- Withdrawal of, may be ordered by President or Chairperson, 447
- Select Committees may admit or exclude, 396

SUGGESTIONS IN MONEY BILLS -

- Originating in Assembly, procedure, 341
- Originating in Council, 278; no question to be put in Committee, 298

SUMMARY MOTIONS -

- Adjournment of Council, 59
- Adjournment of Debate, 195
- Closure, 127, 128
- In Committee* -
 - that Chairperson do now leave the Chair, 371
 - that Chairperson report progress, 371
 - that Question be now put, 371

SUPERSEDING OF QUESTIONS -

- By adjournment of Council, Previous Question and by amendment, 122
- Of Proceedings of Committee of the Whole, 372

SUSPENSION OF BUSINESS -

- During Conference, 254
- On questions of Order and Privilege, 201
- When Message received from Governor, 242
- See* resumption, 76

SUSPENSION OF MEMBER -

- For disobedience of Order of Council, 215
- For disorderly conduct in Council, 210-212

SUSPENSION OF QUESTIONS - By Points of Order or Privilege, 201

SUSPENSION OF SITTINGS -

- Half-past Six O'Clock Rule, 60
- Minister may move at any time, 61
- President may suspend sitting in cases of very grave disorder, 213

SUSPENSION OF STANDING ORDERS AND SESSIONAL ORDERS, 456-460

- Standing Orders 124, 281, 282 may not be suspended

INDEX

SWORN - New members to be, 9

T

TABLE, THE -

Documents quoted in debate ordered to be laid upon, 452
 Governor's Speech laid on by President, 12
 Members may speak from, 167
 Papers may be laid on, without comment, 450
 Reports of Select Committees to lie upon, 409
 Writs to be laid on, 9

TABLING DOCUMENTS QUOTED IN DEBATE, 452

TAXATION - Clauses in Council Bills dealing with, 278

TAX, RATE, DUTY OR IMPOST - Bills for appropriating to be specially certified by Clerk of the Assembly, 277

TEDIOUS REPETITION OF SPEECH, 186, 367

TELLERS -

Appointed by President on Division, 223
 Make out and sign Division Lists, 227

TEN MINUTES - Allowed to form Quorum, 50

THANKS - Vote of, may be moved without Notice by Minister, 118

TIE -

Chairperson gives Casting Voice, 361
 In election of President, Clerk determined by lot, 20
 In other elections by ballot, President determines by lot, 234
 President gives Casting Voice, 231
 Select Committee Chairperson has deliberative but no casting voice, 389

TIME LIMIT TO SPEECHES - Five minutes on Suspension of Standing or Sessional Orders, 458

TITLE OF BILL -

Any amendment to (in Committee) to be specially reported, 293
 Clauses to come within, 272
 Instructions must be relevant to, 422
 May be amended after Third Reading, 315
 Reading of, when Bill ordered to be read, 280
 To be amended to accord with amendments in Bill, 293, 315
 To be specified in Motion for leave to introduce Bill, 269
 To coincide with Order of Leave when Bill presented, 272

TRANSLATION - Petitions to be in English or have English translation, 82

TUESDAY AND THURSDAY SITTINGS -

Appointed, 48
 Precedence to Government Business at: qualification, 64

INDEX

TWICE -

- No Member to speak twice, with certain exceptions, 174
- Same Member not to move certain Motions twice, 59, 127

TWO NOTICES - Not to be given consecutively by same Member if another Member has one to give, 106

U

UNANIMOUS -

- Leave of Council, 3
- Member may obtain leave to conclude speech with unanimous pleasure of Council, 197

UNBECOMING NOTICES amended or expunged, 104

UNOPPOSED BUSINESS -

- Entertained before Adoption of Address in Reply, 14
- Priority of, on Notice Paper, 64

URGENCY -

- Addresses, 235
- Debates without Notice* -
 - evidenced by three Members rising in places, 116
 - in lieu of Questions without Notice, 116
 - limited to one hour's duration unless otherwise ordered, 116
- Petitions, 95
- Suspension of Standing Orders, 457

URGENT MATTER OF PUBLIC IMPORTANCE - Order regulating Motion concerning, 116

V

VACANCY IN OFFICE OF PRESIDENT -

- During Recess, 10
- During Session, 26

VOICES -

- To be given, "Aye" or "No", 129
- When equal* -
 - Casting Voice to be given by -
 - Chairperson of Committees, 361
 - President, 231
 - in Joint Committee, Chairperson has Deliberative but no Casting Voice, J.S.O. 6
 - See also* Leave of Council, 3; unanimous pleasure, 197

VOTES DISALLOWED BY -

- Committees, 362, 379 (personal interest)
- Council, 225 (personal interest)
- President, 226 (if not present within Bar when Question put)

VOTE OF COUNCIL - Reflections on, not permitted with an exception, 192

INDEX

VOTE OF THANKS may be moved by Minister without Notice, 118

VOTING -

Ballot -

election of President, 18-20
for Conference Managers, if demanded, 253
for Select Committees, if demanded, 377, 381
for Standing Committees, if demanded, 415
not to be interrupted, 60, 69

Divisions, 219-232

Tie in -

on election of President, determined by lot by Clerk, 20
other elections, determined by lot by President, 234

Voices to be given Aye or No, 129

When equal -

in Committee of Whole, Chairperson has Casting Voice, 361
in Council, President has Casting Voice, 231
in Joint Committees, Question passes in negative, J.S.O's. 6 and 24

W

WARRANT OF PRESIDENT-

Witnesses failing to obey, 432
Witnesses in custody, 435

WASTE LANDS - Bills granting to persons or bodies, 268

WEDNESDAY SITTINGS -

Appointed, 48
Precedence to Private Business at, 64, 70

WITHDRAWAL OF -

Amendments, by leave, 140
Bills, irregular, 276
Divisions, calls for, 221
Members of Council - in cases of suspension and charge, 212, 214
Motions, 123, 120
Objectionable and Offensive Words, 208
Previous Question, 152
Strangers, 216, 447
Witnesses, 441
Words, 208

WITNESSES -

Before Committee of Whole, any Member may put questions directly to, 440
Before Council, examined by President, 439
Examination on Oath not permitted except when provided by law, 436
How summoned, 429-432
Judges examined within the Bar, 443

Members -

examined in place, 442
not to give evidence without special permission of Council, 444
required as, by other House by Message, 433, 434

Neglect to obey summons, 432

Officers -

not to give evidence without special permission of Council, 444
required as, by other House, 433, 434

INDEX

Payment of, by Select Committees, 413
Procedure before Council or Committee of Whole, 438, 442
Procedure before Select Committees, 395, 396
Protection of, 437
When in Prison, 435
Withdraw if Question objected to, or other matter arise, 441

WORDS -

Enacting - of Bills, not put to Committee except under Instruction, 292
Objectionable or Offensive -
if taken down, Member refusing to explain or withdraw and apologise,
named by President, 208
in Committee - reported by Chairperson to President, 359
use of, highly disorderly, 193

WRITS to be laid on the Table, 9

WRITING - Definition, 3